

THE RIGHT TO REPAIR MOVEMENT: IMPACT & IMPLICATIONS

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Abstract

In Europe, as well as in the United States, the right to repair has received a lot of attention. The European Commission said in February 2021, that it will create a mechanism to enable for the repair of smartphones, tablets, and laptops. On July 9, 2021, US President Joe Biden signed an executive order directing the Federal Trade Commission (FTC) to develop laws allowing consumers to repair their electronic devices under their own terms. The goal of these regulations is to increase competitiveness in the US economy. Consumers are more enthused about these proposals' environmental impact. Many people believe that extending the life of their equipment by allowing them to perform minor repairs is better for their wallets and the environment. Instead of purchasing a new item, people may replace a smartphone battery or a laptop screen from the comfort of their own homes. And once this opens up for electronic gadgets will the other goods be considered on the same lines? Consumer not only would be able to fix the items he own, but he would also be able to eliminate electronic trash, which is a big environmental burden. This write up is trying to explore the possible contribution of this Right to repair, its impact on consumers, environment and manufacturers. For many years, computer and electronics corporations have done everything they can to prevent consumers from being able to repair their products, preferring instead to buy new ones. The researcher will explore to find can repairing movement will usher in a new period for a new generation?

Keywords: Right, Repair, electronic gadgets, Consumer, obsolescence

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Introduction:

It is astonishing to know that there are still some product whose durability and performance one can vouch for. The Centennial light bulb² has been officially acknowledged as the world's longest-

¹<https://legalbots.in/legal-blog/planned-obsolescence-an-overview>



burning light bulb by The Guinness Book of World Records, Ripley's Believe It or Not!, and General Electric. It was lit for the first time in 1901 and has been illuminated ever since. That's 120 years, and this small light hasn't been turned off in an incredible 120 years. The Centennial Light has been 'off' on multiple times over its long and distinguished existence, but this has always been due to human mistake or interference, not the bulb itself, which has never 'burned out' or stopped to work. It was manufactured in California, and it still shines dimly in a local fire station there. For those of us who have thrown away more objects in our lifetimes than we can recall, the centenary light's durability may now seem upsetting. If a bulb from the nineteenth century can live this long, why couldn't a modern-day product? Why do products produced with 21st-century technology wear out so quickly? The technology advancement has added so many comforts in human life. But irony is the modern products tend to wear out and ultimately become useless in a span of few years, we are left with no option but to throw them away. So the moot question is: Why do we get rid of them? Rather of repairing them, why don't we replace them? So many elements have been added to human existence as a result of technical advancements and innovations. But this is something to think about and consider, as to why we spend more money on advanced models than on restoring older ones.

During coronavirus initial lock down phase the way mother earth rebounded on her own when no human assistance was present was one of the most astounding aspects of world lockdown. That makes one consider how humans should conduct themselves in the future. The ability of the planet earth to rebuild and heal itself makes one wonder why humanity don't follow suit. The repairing and rebuilding of earth's basic fibre laid the foundation for thought process for repairing in more constructive manner. The Covid-19 crisis taught humanity some harsh lessons, with lockdowns and curfews affecting the whole ecosphere. The pictures of vacant streets, barren market places, and the sounds of ambulances became the new normal as the world came to a halt. Under forcible incarceration, the life of a human being of whatever age was hovered with panic. For those who believed that if one stopped working, the world would fall apart, this became a fiction. But it wasn't all awful; for the first time in the midst of the rush and bustle, human paused a while and was able to appreciate the value of quality family time, which they may have been compelled to spend together for the first time. Children learnt responsibility, and their contributions to communal problem-solving were admirable. People suddenly seems to be more inventive with the limited resources and physical space they have at home, many adopted new skills. All in all this pandemic it appears, is not going to normalise the human life any soon. So it is high time that person should take back certain steps and ponder with all seriousness the need and necessity for human race to survive. More importantly what can be contributed to make future generations life more healthy and peaceful? Repairing current gadgets rather than purchasing new ones, in order to avoid adding more rubbish as a matter of environmental concern, might be a contribution that we would all like to make in order to contribute in some way to the well-being of future generations. This part of the 'right to repair' appears to be a viable option. This is not the development of one particular day or month. From a decade or so feeble concerns round the world started voicing their objection over this premeditated practice of replacement and raising oppositions for the same. With few more hands joining the campaign it got support of some more protestors.

1. Background check:

We might blame ourselves for not appreciating and repairing our antique items like our parents and grandparents did. In today's consumerism-driven environment, repairing has been dubbed "active disobedience." Consumer it seems is flying in the face of a whole system that wants the customer to keep purchasing more; it's a nefarious business strategy known as planned obsolescence. A policy of developing consumer items that become outdated quickly and must be replaced. Obsolescence derives from the term "obsolete," which means "no longer relevant," "no longer useful," or "out of date." The term "planned obsolescence" refers to the process of anticipating when something will become obsolete and no longer be useful. It's essentially a mash-up of many business strategies that are applied to make a product appear unpleasant, ineffective, and unwelcome. The ultimate objective is to get purchased to replace the product, to buy it again and over again. How do enterprises do this? By adding

²<https://twistedifter.com/2018/02/planned-obsolescence-and-the-centennial-light/> 25 Nov 2021

parts that are prone to failure, or by making your product incompatible with others, as in a new operating system? By offering new updated models every year or just denying user the 'Right to Fix,' which means that if something breaks, buyer will be compelled to replace it rather than repair it. This is a diabolical corporate technique that has now been exposed.

2. What is 'Planned Obsolescence,' and how does it work?³

It is often referred to as "built-in obsolescence" or "premature obsolescence." Simply expressed, this is a top-tier targeting approach for designing or planning a product with a purposely short service life or fragile design that will be obsolete in a certain amount of time. The design of the product makes it likely that it will lose some of its functional effectiveness over time, stop working altogether, or become outmoded.


Just a few examples are fast fashion, low-quality clothing, slow phones and gadgets, irreparable consumer electronics, short-life light bulbs, protected ink cartridges, hardly updated textbooks, and yearly car updates.

If one observes the market tendencies, it will be apparently noted that we live in an era where the ordinary shopper buys a device with the expectation that it would break down quickly. The customer is aware and know that anything one buy will be obsolete shortly, since a new improved model, a shinier, better-looking version of the identical device, will be available soon. Some of us are intrigued to buy the new version, while others are opposed to it. But many of us buy it because we don't have a choice; whenever a new model is out, the smartphone slows down to the point where it is virtually useless, batteries die down early, the gaming devices require one too many resets, and even laptop screen begins to flicker after a passage of time; why can't we fix them? When this question strikes, it basically points that sometimes it is inconvenient, difficult, and almost often impossible. Many gadgets are not repairable at the given local repair shops. This is due to the fact that the corporation has a legal right to their own design and software. They decide who may and cannot repair the respective item, and applying the gimmicks they make it incredibly expensive to do so. Even simple fixes like a smashed screen or a drained battery are expensive, and the customers are left at the mercy of the manufacturer. So, how do one go about it? , the majority of us end up purchasing a new product; the gist various studies show that when a product fails, most individuals choose to purchase new items rather than repair the old ones. In reality this should not be the case. But over the years in fast paced human life this concept of replacement is implanted bit by bit in a systematic manner. A setting is created for consumers that those who are wise will opt for more practicable option to throw the old one and buy a new one. Now how this is strategized is by advertising that it is a time consuming process to go about repairs and one can save time by replacement than repair, putting the vital issue of money matrix on the back foot. Various markets offered scheme to allure new production purchase in exchange of old versions.

3. Marketing strategies:

When the same product is offered in several price ranges, the market is quite volatile, thus it is to the consumer's advantage to purchase in the price range that best suits his budget. But, if that's the case, are buyers who pay a lower price left high and dry in terms of quality since they can't go past a certain point? In such a circumstance, opting with a high-quality product that can be repaired and reused rather than going with a low-cost one and spending money over and again appears to be a better alternative. But what is seen generally is prices have dropped dramatically in comparison to previous generations, making electronic and electrical items much more affordable. As a result, the repair cost to new product cost ratio for such goods is quite high. Repairing a pricey item such as a television, air conditioner, or washing machine retains some value, but consider little appliances and it will not look wise to go for repairs. Repair costs for such things might range from 30 to 50 percent of the original purchase price. As a result, some individuals think it's a good idea to buy a new device and take advantage of the warranty term. In some nations even this tactic of warranty is washed out by guarantee and therefore the customer is not safe in electronic or electrical gadgets policies.

³<https://legalbots.in/legal-blog/planned-obsolescence-an-overview>



When comparing industrialised and developing countries, it appears that there is little difference. Because a guarantee is simply a promise for a certain length of time, if any component of the product fails, only that defective part will be replaced with a new one, but a warranty is a replacement for the entire product, and the assurance appears to be more valuable. Due to the sheer global decline in ethical product manufacturing or production, more emphasis has been placed on delicate item construction, while the robustness of making any product effective and long lasting takes a back front, as the marketing strategy is to keep manufacturing and earning at the expense of consumers' pockets & environmental concerns, it is not there concern that lower quality and fable products will cost dearly to the respective consumers. So the business enterprises concern is always profit making all over the globe. Some of them may share alarm of environment degradation, consumer interest protection, safety measures for products and likes of the sort, but very few take these issues seriously in their business ethics. Therefore, it is not surprising that consumers over the globe are now pressing for the right to repair from the manufactures.

4. Activism of global campaign:

The 'Right to Repair' campaign is a global initiative. More of humans showing their inclination for wants of right-to-repair but big companies disavowing the same in the name of one or the other excuses. Consumers in the United States have been lobbying corporations and governments to grant them the right to repair, and now they have a victory: Apple has launched a self-repair programme, which essentially implies that customers may repair their own devices. If customer want to do things himself, he may now purchase parts, tools, and instructions from an Apple iPhone store online or in person. This programme will focus on the most reported issues that need to be addressed, such as consumers' camera, screen, and battery. This is a huge issue for Apple clients since it will save them money. However, consumer won't have to rely on those pricey Apple stores or dodgy third-party repair shops; instead, he will be able to fix it himself. If one don't possess an Apple product, then they either have to wait or forfeit their entitlement to repair. It's an intriguing piece of legislation that's been battled over for a decade by campaigners and internet giants. To put it another way, the right to repair is a notion that gives consumers the freedom to repair or maintain their own devices without regard to legal or technological constraints. The goal is to make it easier and less expensive to repair devices while also extending their lifespan. This right might apply to any thing one owns, including vehicles, cell phones, and other technological devices. With this right, consumer can request that manufacturers to give them with self-repairable items, components for such products, and manuals and guidelines for aid or assistance.

5. The base for the campaign:

The campaigns elementary objective is to urge corporations to make spare parts, tools, and information on how to repair gadgets available to customers and repair shops so that items have a longer lifespan and don't wind up in the trash. There are two conflicting forces making us think. In the first aspect we witness that there are efforts to make things more repairable, both in automobiles and in the electronics sector as a whole, where other consumable items may follow the suit in some time to come. While the second consideration is that, there's the electronics business, which appears to be determined to make products less repairable over time. More people will agree that while in growing up years there were many repairing shop in everyone's neighbourhood which faded with technology surge. This is evident trend across the whole sector. As a result, here, reasonableness and fairness compete with commercial expansion. Therefore it brings attention to an interesting aspect to explore how fixing things has gained more momentum over trade growth.

6. Right to repair movement in the United States:

What was the inspiration for this concept? Its origins may be traced back to the American automobile industry. It can be witnessed with the effort dating back to the 1950s at the start of the computer technology.⁴ Then in the United States, automotive right-to-repair law dates back to the 1970s. The Clean Air Act really compelled automakers to make information about their emission

⁴<https://www.drishtiiias.com/daily-updates/daily-news-analysis/right-to-repair-movement-1>

systems available to independents in order for them to maintain the systems running. However, as computers became increasingly integrated into automobiles and technology advanced, car makers began to keep mechanics out.⁵ Then electronics began to make their way into all of automotive products in the 1990s. As a result, the likelihood of someone being able to fix anything has decreased. Basically the whole idea of these technology development of making computerised automated machines was dominance of these manufacturers over the advanced machine and the mechanics of local area started to find it difficult to keep up the pace as computerised advance mechanics were seeming to be out of their purview. Previously cars had a wired diagnostic interface where owner of the vehicle or mechanic had access to the information of mechanism of the vehicle. But once electronics creep in, manufactures were aware that everything will go wireless. So automatically tech savvy engines filled the auto industry and gradually any fault in the vehicles were taken care at these companies approved centres. This went on for quite a long time and people adopted to the new mechanics offered by the market. But very important purview of local mechanics not able to repair it remained untouched for some decades and this scenario became a constant picture over the world.

The Right to Repair initiative seems to then begin in California in 1999. Where only "certified technicians" were allowed to work on the vehicle's onboard diagnostic system at the time, according to the California Air Resources Board (CARB)⁶. The "Vehicle Owners Right to Repair Act," which was subsequently passed by the legislature in 2000. The Vehicle Owners Right to Repair Act of 2001 was first introduced in the United States Congress in 2001. After nearly six years of failure in Congress, the aftermarket shifted gears and introduced the Right to Repair in two states: New Jersey and Massachusetts. Both states were intentionally picked because they were perceived as consumer-friendly. Right to Repair was passed by the New Jersey Assembly (House of Representatives) by a 2 to 1 margin in 2009, but was blocked in the Senate. After several failed attempts, activists in the US auto industry were granted the right to repair in 2012.⁷ The first time this happened was in Massachusetts, where the state senate passed a right-to-repair statute in order to avoid a ballot contest. The ballot answered to the people by recognizing that if they wish and want to be able to fix their own automobile or take it to a local mechanic, the manufacturers cannot prevent them from doing so. They must supply you with the necessary knowledge, components, and tools. Following this, a number of American states followed suit except Tesla, as it constantly sends updates to its consumers. This attracted the manufacturers' attention and they also thought it fit to see their convenience because for them also a patchwork of regulations will not be a viable option, hence the manufacturers agreed to implement the Massachusetts law nationwide after it passed. The repair community, on the other hand, also seems to be not interested in the patchwork of legislation. It was Mr. Kyle Wiens, the CEO of iFixit, in America has been at the forefront of the right-to-repair movement for years, working across sectors to make it simpler for individuals to fix their own goods while still allowing mechanics and repair experts to stay in business.⁸ He travelled across many parts of the world giving talks on repair design, service documentation, and manufacturing's environmental effect. He effectively a bettedre-legalize cell phone unlocking. This laid the very foundation for bringing momentum in the right to repair moment.

Then, in 2013, a group called the Digital Right to Repair Alliance was founded to lobby for electronic industry repair legislation. It made an attempt to persuade IT companies to support the right to repair. Members of this group contributed to the passage of legislation in 2013 that made it lawful for people to unlock their phones. Then focused was also drawn on vehicle manufacturers to provide information regarding repairs to owners and independent repair facilities for any automobile built in 2015 or later, according to state law. Despite the fact that the regulation is only in effect in Massachusetts, most car manufacturers have followed it since then. The activist members stood up to the copyright office, mobile phone companies, and manufacturers on behalf of customers. In 2017, customers discovered proof that apple was purposefully slowing down the performance of older

⁵<https://www.protocol.com/right-to-repair-ifixit>

⁶<https://www.accc.gov.au/system/files/GPC%20-%20The%20History%20of%20Right%20to%20Repair.pdf>

⁷<https://www.ifixit.com/News/6992/digital-right-to-repair>

⁸<https://www.ifixit.com/User/2/Kyle+Wiens>

devices, causing a major uproar. Why was it that the appeal was slowing down the phones? Consumers are pushing for legal action so that you can be forced to buy the newer ones. Two years later, it has finally caved in to the appeal responses by decreasing the service price for repairs. The right to repair has been agreed upon by the apple. Apple acknowledges that as I phones get older, it purposefully slows them down. It's a significant victory for consumers, one that has opened many avenues. Why can't one of the world's most valuable public firms bend to the will of consumers if one of the world's most valuable public corporations can? The controversy is heating up, and some tech companies are responding. Microsoft, for example, has embraced right to repair, and will begin offering users the ability to repair their own devices next year. Efforts in the European markets, which began in 2017, are also being made. Almost all 50 US states have submitted a right to repair bill as of 2021, but only one, Massachusetts, has passed it. President Joe Biden of the United States signed an executive order in the month of July 2021, directing the Federal Trade Commission to address manufacturer limitations that limit consumers' ability to repair their devices on their own terms.

The proposed bills will not become law this year because nearly all of the states' legislative sessions for 2021 have ended. A proposed Fair Repair Act made it to the state senate in New York. However, because it came on the last day of the session in the state legislature, it will not be voted on until January of the following year.

7. Right to repair movement in the Europe:

The European Union Parliament has approved a small number of proposals for member states to consider. The British government adopted the proposals and approved the 'Right to Repair' statute in July 2021. The United Kingdom, enacted right-to-repair legislation that should make it much easier to buy and repair everyday items like televisions and washing machines. Customers have been asked to suggest simple and safe solutions, with appliance manufacturers allowed a two-year grace time to comply. In France, a repairing score system was established, which makes repair a purchasing factor for all purchases, and enterprises are scored accordingly. Many manufacturers, including Samsung, have taken steps to increase the reparability of their 2021 devices after the debut of France's mending index. As a result, numerous previously unavailable repair instructions have been made public, at least in the case of Samsung.

The UK government enacted right-to-repair legislation in the month July 2021, with the goal of extending product lifespans by up to ten years. Manufacturers of electrical appliances such as washing machines, televisions, and refrigerators are required to make spare parts available to customers who purchase them. Manufacturers are given a two-year opportunity to make the necessary improvements to comply with the new legislation. It does not, however, cover all electrical appliances. Dishwashers, washing machines, refrigerators, and televisions are all included. Smartphones and laptops, on the other hand, are not allowed⁹.

For the moment, right-to-repair legislation in the European Union requires producers to ensure that electronic goods may be maintained for up to a decade. This is the result of European Parliament legislation that established more far-reaching and effective 'right to repair' provisions. The goal is to cut down on electrical waste, which has been on the rise in Africa as a result of increased industry.

According to the new European Union rules, manufacturers must make sure that parts are available for up to ten years, albeit some will only be made available to professional repair companies to ensure that they are installed properly. When new equipment can no longer be repaired, they must be engineered to be removed using common tools and supplied with repair guides in order to increase recycling.

So, what precisely is the justification for this? Many things: you keep giant corporations in check, you hold them accountable for their products, you lower the cost of repair for customers, and you transition away from a disposable culture. This is also unsustainable. It is causing harm to the world in which we live. It's essentially the same set of monopolistic methods, and the technical remedy is the similar. According to one research, the mining and manufacturing minerals used to produce I phones account for 83 percent of Appeals carbon footprints. The more of these items there are, the

⁹<https://indianexpress.com/article/explained/explained-what-is-the-right-to-repair-movement-7400287/>

more pollution there is. Then there's the small repair shop industry, which is a vital aspect of the local economy. Smaller manufacturers lose if a large company has a monopoly on repairs. The right to repair has the potential to transform everything. The art of repair, and the desire to restore the valued goods oneself, is possibly the most intriguing aspect driving this campaign. Whether it's a broken toaster, a television set from the 1990s, or a radio from a previous age, many of us like fixing things ourselves; for some, it's a compulsion, for others, a passion, and for still others, it's a way of life.

8. Right to repair movement in India:

India is one of the rare country which granted its citizens Consumer protection in the form of piece of legislation thirty five years ago. This Consumer Protection Act, granted the right to repair, replacement or refund if product sold to the buyers turned out to be defective. Yet till date the business circles do not reciprocate to this right in an encouraging manner. They refuse to acknowledge these rights of consumers and accept their responsibility. In contrast, the Australian government protects consumers by displaying on its websites that it is illegal for businesses to post notices if no warranties for repairs are available, deal directly with manufacturers, or offer a seven-day return policy, and provides a toll-free number in case of any complaints. It also emphasises that consumers have the right to repair, replace, or refund a defective product. So there seems to be a difference in the political will of both governance.

In India people are not pressing and sometimes even unaware of their own rights, Indian culture has numerous examples in its traditional set up like darning, a skill that some of Indians learned as children to help us appreciate the beauty of preserving what's broken or weak, but it's soon becoming obsolete. In India, frugality is ingrained in the culture, and art of Katha, a century-old needlework talent for stitching patchwork from rag that is today regarded as an art form, was previously way of life. A monument to humans' wastefulness. This entire culture of discarding and replacing items instead of fixing and reusing them. This is a situation that has been thrust upon people. Right from the beginning India has preserved the culture of restoration and repairs but flooded by technological developments around the tech savvy generation readily adopted the culture of replacement. There is one more famous art form Kintsugi which is a Japanese term for the golden restoration process of restoring shattered pottery with gold dust. It believes in repairing what is broken to preserve the memories and the lesson that it served because of the breaking of the articles. Preserving and repairing is in their heritage.

There is currently no legislation or provision in India exclusively dealing with the 'Right to Repair,' but the Competition Commission of India's judgement in the case of *Shamsher Kataria v Honda Sael Cars India Ltd.*¹⁰ is seen as a watershed moment, in which fourteen automobile manufacturing companies were found liable for engaging in anti-competitive practises and abusing their dominant position by only selling spare parts to authorised dealers and not to independent markets. The Competition Commission of India order allowed customers to choose between independent mechanics and authorised dealers, as well as assisting independent mechanics in providing aftermarket services and ensuring healthy market competition. After the United States and China, India is the world's third greatest producer of e-waste¹¹. Previously, metropolitan areas were the largest contributors to e-waste, but due to the pandemic, the rural phone revolution has contributed to the existing garbage pile. Since 2011, India has had a legal framework in place to deal with the e-waste problem. E-waste (management and handling) legislation cover not only how to dispose of garbage in an environmentally friendly manner, but also how to transport, store, and recycle it. These rules have had little impact, and full implementation will necessitate a strict statute.

In Japan, the golden restoration technique of repairing shattered ceramics with gold dust is known as 'Kintsugi.' Then there's the darning that some of Indians learned as kids to help us realise the beauty of maintaining what's broken or weak, which is quickly becoming a lost skill. This entire culture of throwing things away and replacing them rather than mending and reusing them. This is something that has been forced upon people. Frugality is a part of culture in India, and some artistic work with the art form kantha, a century-old needlework skill about stitching patchwork from rag, which is now

¹⁰ 2014 SCC OnLine CCI 95.

¹¹ <https://theguardian.com/does-india-need-a-right-to-repair-legislation/>

considered an art form. A testament to traditional frugality. There was a time when having a repair toolbox in every Indian home was a must, and the things were used wisely, but today young generation succumbed to the throwaway period. More drawn to newer models, lower-cost goods, and rapid fashion. The right to repair movement offers a chance to undo much of this. It concentrates on electronics, but it can be applied to almost everything. It encourages us to value the notion of repair, which is gaining popularity across the world. India who value consumer oriented policies, hopefully, would look into enforcing the right to repair as well.

9. The advantages of the Right to Repair movement:

One cell phone potentially replaced cameras, calendar, alarm clocks, stop watches and many such things of such sorts, making people dealing with these objects as jobless and making individual items as useless it. Future technology will be bringing into purview many more advancements, making human more dependent on them. Humans in general because of technological development, various gadgets, many more facilities at the door bell are tending to be dependent on all these for enriching their lifestyles but we look at the flip side it is making human bodyweak. Less physical activities are crippling humans, technology brings comfort unabatedly but at what cost needs to be pondered on. Repairing is one such aspect which will help some movement in the lethargic lifestyles. All this should add certain good measures to still preserved and carry forward renovations that will bring back for health and wellbeing of the individuals. Some of the advantages that can be:

The grant of right to repair, will contribute to circular economy goals by extending the life of appliances and increasing their maintenance, re-use, upgrade, recyclability, and waste management. People will be more at ease with their product purchase since it will come with a durability package.

This will help small repair shops, which are an important element of local economies, grow their company. Covid lockdown already has taken toll on peoples home budgets because of slashed pay rolls and employment difficulties, the repairing shops will provide the avenues for alternative repairing. Thus helping save some money.

Most importantly it will contribute to reducing the massive mountain of electronic garbage (e-waste) that accumulates on the globe each year. With the global warming gearing up and the humans are facing the massive environment changes already, it will always be wise to contribute as less as possible on the front of e-waste. The process of making an electronic item is extremely polluting. It uses polluting energy sources, such as fossil fuels, which have a negative influence on the environment. So waste of natural resources can also be controlled. It will also save money of the consumers.

10. Electronic waste and right to repair are interconnected:

The term "Electronic-Waste" (E-Waste) refers to outdated, discarded, or outmoded electronic devices. All of its components, consumables, and spares are included in it. It is divided into 21 varieties that fall into two basic categories: Consumer electrical and electronic equipment, as well as information technology and communication equipment. The term "e-waste" refers to the components, consumables, parts, and spares associated with electronic devices. As this right to repair is mainly centric around bringing down these appliances to toe with repairs so that longevity of the products will banked upon. This automatically will bring down the e-waste production to a certain level. If we look at statistics in general the figures seems to be alarming.

Electronic waste and the right to repair are related. The Global E-Garbage Monitor 2020 estimates that electrical trash is produced by Europeans at a rate of over 16 kilogrammes (kg) annually. Far lighter weights—5.6 and 2.5 kg, respectively—were found in Asia and Africa. The Global E-Waste Monitor was developed in close cooperation with the United Nations Environment Programme by the Global E-Waste Statistics Partnership (GESP), which was established by the United Nations University (UNU), the International Telecommunication Union (ITU), and the International Solid Waste Association (ISWA) (UNEP). Nearly half of the waste is made up of broken equipment, and the EU only recycles about 40% of it, leaving behind enormous amounts of potentially hazardous stuff.

When repairing, fixing things, will be practiced more, it will automatically contribute to reducing the massive mountain of electronic garbage (e-waste) that accumulates on the continent

each year. It will save money for customers. It will contribute to circular economy goals by extending the life of appliances and increasing their maintenance, re-use, upgrade, recyclability, and waste management. The two specific industrial trends first manufacturers' tendency to dominate the repair and maintenance network and second casual defiance toward planned obsolescence will also be tackled by exercising this right of repair.

The Central Pollution Control Board estimates that India produced more than 10 lakh tonnes of e-waste in 2019-20, up from 7 lakh tonnes in 2017-18. (CPCB). If we take a closer look at the 2016 E-Waste Management Rules, we can see that the rules are meant to make it possible to recover and/or reuse useful materials from e-waste, which will reduce the amount of hazardous waste that needs to be disposed of and ensure that all types of electrical and electronic waste are managed in an environmentally sound manner. The attempts are being made by electronic waste clinic designed to separate, process, and dispose of garbage. Such set of laws could be especially beneficial in a country like India, where service networks are typically patchy and authorised workshops are scarce in the countryside. Indian people although are known for their Jugaad is well-practiced in India's informal repair sector. It's like finding solution for every broken thing or discarded items which may be alternatively used with some other usage factor to it. However, if such legislation is passed, the quality of repair and maintenance services might significantly improve. This will add shelf life to the electronic goods and definitely will be drawing more utility for the invested money in any given e-product. Therefore, a country like India is also expected to give a serious thought for such kind of legislation.

11. Why Planned obsolescence is a problem which need to be regulated by the legislation:

Planned obsolescence restricts a product's lifespan and often forces customers to upgrade to the more expensive top model cell phones or electronic gadgets. When the guarantee period has passed, the product frequently disappears over time. Planned elimination is the employment of several strategies to make the product seem uncomfortable, worthless, and undesired. This is a goal that many businesses pursue and one of the foundations of their profitability. This movement of right to repair electronics basically referring to government legislation designed to give consumers the ability to repair and alter their own consumer electronic gadgets where the manufacturer would otherwise force them to use only their services. Therefore, the monopoly and market control which has been exercised by these players now can be regulated and brought under the scanner of law.

Basically, replacing any electronic gadget with a new one contributes to a wasteful culture by encouraging customers to "buy fresh and buy often" and constraining customer liberty to keep things longer by hard-wiring a "self-destruct" button into products. Individuals who do not follow the 'current trend' experience social anxiety as a result of this culture. Even if this mentality is maintained, the unhappiness of customers caused by this money-wasting strategy frequently leads to further problems, such as unneeded debt, the problem of overspending, and the problem of over buying.

Manufacturers have fought a larger "right to repair" since it would limit their capacity to sell new items more regularly and force them to become service providers rather than product manufacturers. They also argue that allowing consumers to repair high-tech devices poses a risk, citing lithium-ion batteries in automobiles as an example. But this can always be cross checked but issuing necessary instructions on fetters on the process of access of such volatile articles.

12. Different Jurisdictional Perspectives on Planned Obsolescence:

France was the first country in the world to outlaw this practise (in 2015). The punishment that was drawn was up to two years in prison, a €300,000 fine, and a fine of up to 5% of the yearly average turnover are possible penalties. There are no particular legislation concerning this in the EU. However, EU customers are entitled to repair or replacement of items that are not fit for purpose or do not match the seller's description under the Sale of Consumer Goods and Associated Guarantees Directive (Directive 1999/44/EC).¹² The Consumer Product Safety Commission in the United States has

¹²Sonia Cissé, Caitlin Potratz Metcalf, Adrian Fisher, Guillaume de Meersman and Marly Didizian. (2020, March 31). *In the Crosshairs: Planned Obsolescence*. Linklaters LLP. <https://www.linklaters.com/en/insights/blogs/digilinks/2020/march/in-the-crosshairs---planned-obsolence>

the authority to impose durability criteria if it chooses to do so. In India, there is no such standard. In India, there is no explicit remedy for planned obsolescence, however consumers can make a claim under the Consumer Protection Act.¹³

Recommendations and Conclusions:

If we view the right to repair notion through the eyes of the customer, it always appears to be an impending piece of legislation, fitting limits on this planned obsolescence through legislation in order to lessen its detrimental social and environmental effects. India is renowned for taking concrete steps to implement the Consumer Protection Act, which has since been amended to revive consumer protection. It only makes sense that India would open the door to the design of one more progressive statute that will provide more solace to the Jugad concept adherents in India. Sustainable adaptation (green technology and an improved recycling system) may prevail in terms of viability. Through this, numerous environmental issues will be addressed. Therefore, even if it will only add a small amount of cleanliness to the environment, it is still a much-needed contribution. On the other hand, planned obsolescence is more than just a business tactic. Only the corporates and companies dealing in it are benefitting at the purse of the consumers. Now, many customers have adopted it as a way of life. Regardless of whether a product was made to last a long time, social factors including "perceived technical obsolescence, socioeconomic position, and surface degradation" will drive buyers to keep purchasing the newest and best products (as promoted by businesses and the society). Law by itself could not be sufficient as a result. Legislation should support several strategies, such as educating consumers about planned obsolescence, sustainable living, repairing and recycling, and the circular economy. If local repairs are given a boost as a result of this initiative, it will undoubtedly address some employability difficulties as well. There will be more followers from all around the world who will follow the trend once the developed countries start to shape it up. The right to repair seems to be one of the beneficial legislations which will bring in new perspective for the future generations.

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