

Updated on : 01/08/2023

## Privacy Policy

Thanks for choosing Farmako Healthcare Private Limited ("Farmako", "Service", "we", "us", "our"). We are pleased to make our Service available to you, the Customer ("you", "User", "Customer"). Farmako includes the Farmako App, website, features, and other associated services. Farmako provides a platform for to purchase pharmaceutical products as prescribed to you by a licensed medical professional/doctor, and facilitates the expeditious delivery of said prescribed pharmaceutical products through registered pharmaceutical vendors. This is our Privacy Policy, which helps explain our information practices.

If you install, use, access Farmako or any of its features, you have read and accepted the terms of this Policy. You have also accepted the Farmako 'Terms and Conditions and Content Policy', and other terms which are available on the Farmako App, Farmako Website, and otherwise. Please make sure to read these documents. By using Farmako, you are entering into a binding contract(s) with Farmako. Your contract with us includes this Policy, the Terms and Conditions, etc. If you don't agree with and accept the above, please do not use, install, access Farmako or any of its features.

This Policy is applicable to information provided by users while using Farmako, and not to information made available to Farmako from others Users or to third parties. Should Farmako obtain information pertaining to you from websites, apps, landing pages, third parties, etc. that may be accessed by Farmako's users through Farmako or otherwise, such information will be subject to the privacy and other policies and terms of the said websites, apps, landing pages, etc. This Policy shall not apply to websites, apps, landing pages, etc. or any third-party services accessed by you through Farmako including in case such websites, apps, landing pages, etc. and/or third-party services are advertised on Farmako.

Your access of Farmako's Services and the provision of your information to us confirms that you have the capacity to enter into a legally binding contract with us. You agree that you are above 18 years of age, and if you are below 18 years of age, you agree that you are being represented by a legal guardian who has the capacity to enter into a legally binding Agreement to avail our Services

You also warrant and represent that any registration information and other information that you submit or otherwise provide to Farmako is true, accurate and complete, and you agree to keep it that way at all times.

This Privacy Policy is made in accordance with the Information Technology Act, 2000, ("**IT Act**"), the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Information) Rules, 2011 ("**SPDI Rules**") and the Information Technology (Intermediaries Guidelines and Digital Media Ethics Code) Rules, 2021 ("**Intermediary Guidelines**")

## **Part I**

### **Consent**

**If you are availing our Services, you are either consenting electronically or physically and you represent that your consent is free and informed.**

If you are below the age of 18 or seriously ill or mentally incapacitated, your parent or guardian or nominee is giving consent on your behalf.

We shall ensure that :

- a. collection and use of personal data from user is done only to the extent necessary for the purposes of processing;
- b. the processing of all personal data will be done in a fair and reasonable manner, ensuring the privacy of the user;
- c. No personal data shall be transferred without the consent of the user;
- d. the personal data collected will not be retained beyond the period necessary to satisfy the purpose for which it is collected.

### **Information We Collect**

The below information is collected by Farmako

1. Information collected with a prompt:
  - We require you to create an account on our Website or Application to access our services. We will be collecting your email address and name. You will also be asked to provide certain information, which will be categorized as Sensitive Personal Data (“SPD”) including age, gender, telephone number, identity proof, health status, details of your medical records, prescriptions, intakes, the identity of your licensed medical professional/doctor for authentication purposes, diagnostic results and any other relevant health information. We will also be collecting and storing information with respect to payment, such as card details, your UPI ID, expiration date of your card, billing and shipping address
  - In order to deliver products to your address, you will be required to provide information regarding your location and address. Farmako may collect and store the current and past location of your device if you permit. You have full control over whether to allow or not allow Farmako to collect this information by making changes to your device’s settings.
  - Customer Support. You may also provide us with information related to your use of Farmako, including copies of your messages / posts, and how to contact you so that

we can provide you with customer support. For example, you may send us an email with information relating to our app performance, or other issues.

2. Information collected without a prompt:

- Device Information: We may collect the below with respect to any device through which Farmako is used or accessed:
  - Device Identifiers.
  - Location-Background location if permitted
  - IP Address.
  - Operating System.
  - Operating System Version.
  - Advertising Identifiers.
  - Device Make.
  - Display Features.
  - Network Provider/Wi-Fi or other ISP.
  - Battery level and usage.
  - Memory usage.
  - Other apps or services installed or used through the device.
  - Content Type and Non-Personal information related to ads.
  - Profile Information.
  
- We may access your device's camera, microphone, photo and/or video and/or audio library or gallery.
  
- We may also collect information provided by third parties, such as order details, details shared with pharmaceutical vendors who are partnered with, and other sources. These sources may disclose to us personal or non-personal information collected by them. We has no control over or responsibility in respect of third-party information practices or information collection methods.
  
- Farmako may also collect tracking information including cookies, DART, beacons, etc.
  
- Usage and Log Information. We collect service-related, diagnostic, and performance information, including information about your activity (such as how you use Farmako, the Products you view, the Products you buy, etc.), log files, and diagnostics, crash information, website, and performance logs and reports, etc.

### **How We Use Information**

We shall make all reasonable efforts to use, disclose and request only the minimum amount of personal data needed to accomplish the intended purpose of use, disclosure or request.

We shall not disclose any data to third parties except with your express consent.

We may use all the information we collect to help us operate, provide, improve, understand, customize, and support Farmako.

- **Our Services:** We operate and provide Farmako, including providing customer support, and improving, fixing, and customizing Farmako by using the said information. We use the information for order processing, delivery of medicines and sharing the required information with third party vendors for the purpose of providing Services. We use the information we collected to create a digitized medical history of our users, for your access and viewing if you permit us to do so. This enables Farmako to be a one-stop location to view all your personal medical records. We utilize the information provided by you to improve Farmako's Website and Application, and conduct troubleshooting activities. We also use your information to respond to you when you contact us. We may also use your information for improving search results, content loading, performance, etc to improve your user experience.
- Send you communications including by e-mail.
- **Safety and Security:** We also use your information to try and ensure safety and security of our users and their information. We verify accounts and activity, and promote safety and security on and off Farmako, such as by investigating suspicious activity or violations of our policies, terms, etc., and to try and ensure that Farmako is being used legally.

### **Managing Your Information**

Farmako allows you to manage, modify, customize and delete your information on our Website and App. We shall retain your data for the legally required period or until we are utilising your data for the provision of Services.

### **How We Share Information**

We may share your information in ways including the following:

- With independent contractors assisting us with the provision of services: your username, identity proof, prescription and the order made by you for the Product purchased.
- To our delivery partners to fulfill your deliveries
- Your phone number for getting OTPs for login
- With medical practitioner/hospitals with your express consent.
- We may share information about you, such as device and usage information, to help us and others prevent fraud.
- We may share information about you for legal, safety, and security reasons.
- We may share information about you if we reasonably believe that disclosing the information is needed to: (i) comply with any valid legal process, governmental request, or applicable law, rule, or regulation, (ii) investigate, remedy, or enforce potential violations of this Policy and the Terms and Conditions
- To protect the rights, property, or safety of us, our users, or others.

- To detect and resolve any fraud or security concerns.

### **Data Retention**

We endeavour to retain data in accordance with the IT Act and the SPDI Rules. Once the purpose for which your data is collected has been fulfilled, it shall be deleted and will not be retained by us further. It shall also be deleted once retention is no longer necessary under applicable law.

### **Security**

We undertake no responsibility for security or safety of your information. However, we take reasonable security measures in accordance with the SPDI Rules to protect your information in accordance with industry standards. This does not guarantee safety or security of your information as events beyond our control can also occur.

### **Assignment, Change Of Control, And Transfer**

All of our rights and obligations under this Policy and the Terms and Conditions are freely assignable by us to any of our affiliates or any others, in connection with a merger, acquisition, restructuring, or sale of assets, or by operation of law or otherwise, and we may transfer your information to any of our affiliates, any others successor entities, or new management, etc.

### **Law And Protection**

We may collect, use, preserve, and share your information if we believe that it may be reasonably necessary to: (i) conform and comply with valid legal processes, governmental requests or any other requirement as under applicable law; (ii) protect our property, rights, our safety and our users, (iii) investigate, remedy, or enforce potential violations of this Policy and the Terms and Conditions, (iv) detect fraudulent activity, security concerns or technical issues, etc., (v) for other legal requirements, etc.

### **Your rights**

You shall always have the rights to the following in accordance with applicable law:

- a. The right to confirmation and access
- b. The right to correction and erasure
- c. The right to restrict or object to disclosure
- d. The right to data portability
- e. The right to withdraw your consent
- f. The right to lodge a complaint or grievance with the ABDM - Grievance Redressal Officer (“ABDM -GRO”)

### **Updates To Our Policy**

We may amend or update this Policy. We will provide you notice of amendments to this Policy, as appropriate, and update the “Last Modified” date at the top of this Policy. Your

continued use of Farmako confirms your acceptance of this Policy, as amended. If you do not agree with or accept this Policy, as amended, you must stop using Farmako. Please review our Privacy Policy from time to time.

### **Contact Us**

If you have questions about this Policy, email at [help@farmako.in](mailto:help@farmako.in)

ABDM Data Protection Officer [abdm-support@farmako.in](mailto:abdm-support@farmako.in)

### **Address:**

H. No. 734, Gali No. 1 Azad Nagar,  
Railway Harthala Colony,  
Moradabad, Uttar Pradesh – 244 001.

### **Governing Law and Jurisdiction**

The validity, construction and enforceability of these Terms and Content Policy, the Privacy Policy shall be governed and construed in accordance with the laws of India. The Courts at Moradabad, UP shall have exclusive jurisdiction

### **ABDM Privacy Policies**

Please refer here for the ABDM Privacy Policy which shall also be applicable to you if you avail our Record Keeping Services.