

## PRIVACY POLICY

This KSP CLEAR Pass App is powered by Vivish Technologies Private Limited for the relevant Government Authority.

This Policy is drafted to inform the concerned about the privacy practices. This Privacy Policy describes our practices in connection with Personally Identifiable Information / Your Data that is collected / provided through the App and/or during Your use of the Services.

THIS PRIVACY POLICY DOES NOT ADDRESS THE COLLECTION, USE OR DISCLOSURE OF INFORMATION BY THE GOVERNMENT AUTHORITY OR BY THIRD PARTIES.

BY USING THE APP, YOU AGREE TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY, PLEASE DO NOT USE THE APP OR WEBSITE(S).

We / Government Authority reserve the right to change this Privacy Policy at any time. MyGate may change the same without any notice and/or intimation. Any changes to our Privacy Policy will become effective on the effective date listed on the Privacy Policy. If You do not agree to such changes, you can close Your Account.

### 1. WHAT TYPES OF INFORMATION DO WE COLLECT FROM YOU?

#### 1.1. Personally Identifiable Information (or "PII")

In order to take advantage of particular opportunities provided through our Apps or Services including obtaining a Pass for enabling essential movement during complete/partial lockdown, from Incident Commander as prescribed under DO No. 40-3/2020/DM-I(A) by Ministry of Home Affairs, India on 24March 2020 / Central Directives, validation processes, permissions explore opportunities and receiving other offers, You shall be required to provide / furnish information that identifies You as an individual and/or with respect to the company / entity / LLP / party on behalf of whom You are making the application / using the App / availing the Services.

You further agree and understand that any personally identifiable data or document and/or information provided by You through the App / for the Services ("**Your Information**") is collected solely for the purposes of Your application / request to the Government Authority and all Your Data shall be disclosed and shared with the relevant Government Authority and processed as per the instructions of the relevant Government Authority, and we may not have any control, liability or responsibility to You in this regard whatsoever as your information will be owned by Incident Commander.

We may also collect other PII from you, such as language preference, mobile number, name, locality, address, purpose, category of service, jurisdiction, employer or organisation name, vehicle number, e-mail address, and KYC information (Government and/or Non-Government issued) when you voluntarily provide it to us. The said data shall also be shared and disclosed to the Government Authority which shall use and process it in its sole discretion and as per its requirements.

## **1.2. Non-Personally Identifiable Information (or “Non-PII”)**

Non-PII is aggregated information, demographic information and any other information that does not reveal Your specific identity. We and third-party service providers may also use cookies, pixel tags, web beacons, and other similar technologies to better serve you with more tailored information and facilitate ongoing use of our App / Service. Because Non-PII does not personally identify you, we may use such information for any purpose. In addition, we reserve the right to share such Non-PII with our suppliers to improve our service offerings and to ensure the security and functionality of the App.

### **IP Addresses and Mobile Device Identifiers**

When App or Service is used, information on IP Address, website from which reference was made to our website, browser used, Operating System details, date and duration of the visit etc. are collected.

Please note that we treat IP Addresses, server log files and related information as Non-PII, except where it is required to do otherwise under applicable law. We may also share this Non-PII data with the relevant Government Authority upon request, which shall use and process it in its sole discretion.

## **2. HOW DO WE USE AND DISCLOSE INFORMATION / YOUR DATA COLLECTED FROM YOU?**

Government Authority shall have the right to use, share and process Your Data including Non-PII data as per its own requirements and its sole discretion and we do not take any responsibility or liability in this regard. We will not sell Your Data (PII) for any purposes.

We shall use and disclose Your Data:

1. To make Your application / request for the KSP CLEAR Pass to the relevant Government Authority;
2. To enable relevant Government Authority / Incident Commissioner to issue and manage issuance of Pass / KSP CLEAR Passes during the Lock-Down or such extended period as they deem fit further the Central Directives / State orders;
3. To enable Government Authorities to validate and manage the KSP CLEAR Pass; and assist the relevant Government Authority to allow, streamline, enable and facilitate movement during the time of the COVID – 19 crisis;
4. For record keeping as per the requests from relevant Government Authority;
5. Sending You important information regarding the COVID-19 Crisis, the KSP CLEAR Pass, changes to the App / Services, as per the requirements and instructions of the relevant Government Authority;

5. Policies and/or other administrative information to improve Our services or to customize content on our App / Services;
6. To third-party service providers, who provide services such as SMS, calling, approval of pass, payment processing, check-in & check-out processes, IT services, customer service, and other processing as per the request, instructions and specifications of the Government Authority.
7. For such other purposes as may be specified / required by the relevant Government Authority / any other authority under applicable laws, from time to time; and
8. To comply as we believe to be appropriate: (a) under applicable law; (b) to comply with legal process; (c) to respond to requests from public and government authorities; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others; and (g) to permit us to pursue available remedies or limit the damages that we may sustain.

### **3. OTHER IMPORTANT NOTICES REGARDING OUR PRIVACY PRACTICES**

#### **Third Party App**

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties including the relevant Government Authority / local authorities / state government / central government any regulatory / supervisory and/or enforcement authority, including without limitation any of Incident Commissioner or other Officers duly authorized, Government Authorized Personnel, affiliates and any third party operating any site to which this Site or App contains a link further to the requirements or instructions of the relevant government authority. The inclusion of a link on the Site does not imply endorsement of the linked site by us or by our affiliates.

#### **Security**

We use reasonable organizational, technical and administrative measures to protect PII under our control. However, we have no liability or responsibility once Your Data is shared with the relevant Government Authority. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure.

All information will be saved and stored on servers, which are secured with passwords and pins to ensure no unauthorised person has access to it. We adhere to strict security guidelines, and to the best extent possible protecting it against unauthorized access.

We store information over secure cloud service providers who offer security standards competitive with the industry norms. We also protect servers with firewalls and data encryption using SSL, and information access authorization controls. We use reasonable safeguards to preserve the integrity and security of information against loss, theft, unauthorised access, disclosure, reproduction, use or amendment. To achieve the same, we use reasonable security practices and procedures as mandated

under applicable laws for the protection of information. However, you understand and accept that there is no guarantee that data transmission over the Internet and/or by the Government Authority will be completely secure and that any information that you transmit is at your own risk.

We assume no liability for any disclosure of information due to errors in transmission issues, unauthorized third-party access to our Platform and data bases or other acts of third parties / Government Authority or acts or omissions beyond our reasonable control and you shall not be entitled to hold the Company responsible for any breach of security except in case of wilful gross negligence on the part of the Company.

### **Retention Period**

We will retain your PII for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required and permitted by law.

### **Contacting Us**

If you have any questions regarding this Privacy Policy, please contact the relevant Government Authority by e-mail at [ksp.clearpass@gmail.com](mailto:ksp.clearpass@gmail.com)

### **For further information, please contact the relevant Government Authority at:**

Grievance Office: [grievance.kspclearpass@gmail.com](mailto:grievance.kspclearpass@gmail.com)

All Capitalized Terms not defined herein shall have the meaning assigned to them in the Terms and Conditions of Use.