

Privacy Policy

The MISFITS application and website (“**Platform**”) are made available to you by 028 Community India Private Limited (hereinafter may be referred to as the “**Company**”, “**we**”, “**us**”, and “**our**”) respect your privacy and is committed to protecting it through its compliance with its privacy policy. This policy amongst other things describes: (i) the type of information that the Company may collect from you when you access or use its websites [Misfits.net.in], mobile applications and other online services (hereinafter collectively referred to as the “**Services**”); and (ii) the Company’s practices for collecting, using, maintaining, protecting and disclosing that information.

This Privacy Policy is published in accordance with the (*Indian*) Information Technology Act, 2000 and the rules/regulations framed thereunder, including the (*Indian*) Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011.

Please do not avail our Services if you do not agree to our Privacy Policy.

We encourage you to read this policy carefully while accessing or using our Services to understand the Company's policies and practices regarding your information. By accessing or using its Services or its Platform, registering an account with the Company, becoming a user, community leader, venue provider or customer on the Platform, or by attempting to become a user, community leader, venue provider or customer, you expressly agree to be bound by the terms and conditions of this privacy policy and you are consenting to the Company's collection, use, disclosure and retention of your Personal Information as described here.

This policy may change from time to time, your continued use of the Company's Services after it makes any change is deemed to be acceptance of those changes, so please check the policy periodically for updates.

Application of our privacy policy

This policy specifically addresses the information collected through the company's services, including email, text, and other electronic communications associated with those services. However, the policy does not extend to the information provided to or collected by third parties that users may use in connection with the company's services.

Collection of the information

For the purposes of this privacy policy:

“**Personal Information** ” means any information that relates to a natural person, which, either directly or indirectly, in combination with other information available with the Company, is capable of identifying the person concerned.

“Sensitive Personal Data or Information” means Personal Information of any individual relating to password; financial information such as bank account or credit card or debit card or other payment instrument details; physical, physiological and mental health condition; sexual orientation; medical records and history; biometric information; any detail relating to the above as provided to or received by the Company for processing or storage. However, any data/information relating to an individual that is freely available or accessible in public domain or furnished under the Right to Information Act, 2005 or any other law shall not qualify as Sensitive Personal Data or Information.

Some of our Services may be used without revealing any Personal Information, and for other Services, Personal Information is required. We may also collect ‘Non-Personal Information’ (i.e., information that cannot be used to identify you). Non-Personal Information includes information like the web pages that you have viewed. In order to access certain features and benefits on our Services, you may need to submit ‘Personally Identifiable Information’ i.e., information that can be used to identify you (*as described below*). Inaccurate information may affect your ability to use the Services, the information you receive when using the Services, and our ability to contact you. For example, your email address and contact number should be kept valid because these may be the primary channels through which we communicate with you. You are responsible for ensuring the accuracy of the Personally Identifiable Information you submit to the Company.

The Company collects several types of information from and about users of our Services, including: (i) Your Personally Identifiable Information- Personally Identifiable Information is the information that can be associated with a specific person and could be used to identify that specific person whether from that data, or from the data and other information that we have, or is likely to have access to. We do not consider Personally Identifiable Information to include information that has been made anonymous or aggregated so that it can no longer be used to identify a specific person, whether in combination with other information or otherwise. Personally Identifiable Information can include, but not be limited to, information such as your name, email address, contact number (cellular and landline), educational qualification(s), occupation, date of birth, marital status, monthly income, city and state of residence, marital status, number of children, employer details, Aadhaar number, PAN, other KYC documents and tax identification number such as TAN and GSTIN, and gender, login password, account information and post-qualification or work experience among other things; and/or (ii) Information about your internet connection, the equipment you use to access our Services and your usage details.

We may collect this information either (i) directly from you when you provide it to us; (ii) automatically as you navigate through our Services (information collected automatically may include usage details, IP addresses and information collected through cookies, web beacons and other tracking technologies); and/or (iii) from any other source of information including from other third party sources, such as updated delivery and address information from our carriers, which we use to correct our records and deliver your next purchase more easily.

What information you provide to us.

- Your account information: Your full name, email address, postal code, password and other information you may provide with your account, such as your gender, mobile phone number and website. Your profile picture (if any) that will be publicly displayed as part of your account profile. You may optionally provide us with this information through third-party sign-in services such as Facebook and Google sign in. In such cases, we fetch and store whatever information is made available to us by you through these sign-in services.
- Your preferences: Your preferences and settings such as time zone and language.

- Your content: Information you provide through our Services, including your reviews, photographs, comments, lists, followers, the users you follow, ordering details and history, favourite categories, special requests, contact information of people you add to, or notify of, your orders through our Services, names, and other information you provide on our Services, and other information in your account profile.
- Your searches and other activities: The search terms you have looked up and results you selected.
- Your browsing information: How long you used our Services and which features you used; the ads you clicked on.
- Your communications: Communications between you and other users, community leaders and customers through our Services; your participation in a survey, poll, sweepstakes, contest or promotion scheme; your request for certain features (e.g., newsletters, updates or other products); your communication with us about employment opportunities posted to the Services.
- Your transactional information: If you make use of our Services, we may collect and store information about you to process your requests and automatically complete forms for future transactions, including (but not limited to) your name, phone number, gender, transaction details, PAN number, device type, Platform usage details, address, email, billing information and credit or payment card information or other payment related details. This information may be shared with third parties which assist in processing and fulfilling your requests. If you write reviews about businesses with which you conduct transactions through our Services, we may publicly display information that you transacted with those businesses.
- Your Public Posts on our Platform / mobile app/ website: You also may provide information (such as ratings, reviews, tips, photos, comments, likes, bookmarks, friends, lists other data of similar nature in the form of posts on our Platform, etc.) to be published or displayed (hereinafter, “**posted**”) on publicly accessible areas of our Services or transmitted to other users of our Services or third parties (hereinafter collectively referred to as “**User Contributions**”). Your User Contributions are posted on and transmitted to others at your own risk. Please be aware that no security measures are perfect or impenetrable (see the "Security" section below). Additionally, we cannot control the actions of other users of our Services with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons. We may display this information on the Services, share it with businesses, and further distribute it to a wider audience through third party sites and services. You should be careful about revealing any sensitive details about yourself in such postings.
- We use the information you provide to us to analyse and enhance the functionality and improve the quality of our Services, and to personalize your experience while using our Services. We also use this information to display relevant advertising, provide services to you, provide support to you, communicate with you, and comply with our legal obligations.
- Your phone number and name: You will share your name and telephone number with us and the same will be visible on our Platform to other users, community leaders and venue providers.

Information we may automatically collect include but may not be limited to the following.

- We may automatically collect certain information about the computer or devices (including mobile devices) you use to access the Services, and about your use of the Services, even if you use the Services without registering or logging in.
- Usage information: Details of your use of our Services, including traffic data, location data, logs and other communication data and the resources that you access and use on or through our Services.
- Computer and device information: Information about your computer, Internet connection and mobile device, including your IP address, operating systems, platforms, browser type, other browsing information (connection, speed, connection type etc.), device type, device's unique device identifier, mobile network information and the device's telephone number.

- Stored information and files: Our Services also may access metadata and other information associated with other files stored on your mobile device. This may include, for example, photographs, audio and video clips, personal contacts and address book information.
- Location information: Our applications collect real-time information about the location of your device, as permitted by you.
- Last URL visited: The URL of the last web page you visited before visiting our websites.
- Mobile device IDs: Unique mobile device identifier (e.g. IDFA, GAID or other device IDs on Apple devices like the iPhone and iPad), if you're using our Services on a mobile device, we may use mobile device IDs (the unique identifier assigned to a device by the manufacturer), instead of cookies, to recognize you. We may do this to store your preferences and track your use of our applications. Unlike cookies, mobile device IDs cannot be deleted. Advertising companies may use device IDs to track your use of our applications, track the number of advertisements displayed, measure advertising performance and display advertisements that are more relevant to you. Analytics companies may use mobile device IDs to track your usage of our applications.
- Your preferences: Your preferences and settings such as time zone and language.
- Your activity on the Services: Information about your activity on the Services, such as your search queries, comments, domain names, search results selected, number of clicks, pages viewed and the order of those pages, how long you visited our Services, the date and time you used the Services, error logs, and other similar information.
- Mobile status: For mobile application users, the online or offline status of your application.
- Applications: If you use the Company's application, the Company may collect information about the presence and/ or absence and/or details pertaining to other applications on your mobile phone. The applications we gather information for, may vary across communities. This will help us understand you and your preferences better and enable the Company to provide you with a personalized experience.
- You may withdraw the consent provided to us to collect and use your Personal Information by writing to the designated Grievance Officer as provided in Section 14 of this Privacy Policy. However, in case of withdrawal of such consent, we may not undertake the activities for which the information was sought.

How do we use the information

We use the information we collect from and about you for a variety of purposes, including:

- For purchase and delivery of products and services. We use your Personal Information to take, handle and fulfil orders, deliver products and services, process payments, and communicate with you about orders, products and services, and promotional offers.
- To provide, troubleshoot, and improve the Services. We use your Personal Information to provide functionality, analyze performance, fix errors, and improve the usability and effectiveness of the Services.
- For recommendations and personalization. We use your Personal Information to recommend features, events, communities, leaders, any products, and services that might be of interest to you, identify your preferences, and personalize your experience with the Services. We may also share your preferences, or the Services availed by you with your network followers on the Company for marketing and other promotional activities of our Services.
- To comply with legal obligations. In certain cases, we collect and use your Personal Information to comply with laws. For instance, we collect from venue providers, information regarding place of establishment and bank account information for identity verification and other purposes.
- To Communicate with you. We use your Personal Information to communicate with you in relation to the Services via different channels (e.g., by phone, e-mail, chat).

- For advertising. We use your Personal Information to display interest-based ads for features, products, and services that might be of interest to you. We do not use information that personally identifies you to display interest-based ads.
- For Fraud Prevention and Credit Risks. We use Personal Information to prevent and detect possibility of non-payments, non-payments against community fees and other fees owed to MISFITS, fraud, and abuse in order to protect the security of our users, the Company, and others.
- To administer contests and sweepstakes.
- To carry out Company's obligations and enforcing rights arising from any contracts entered into between you and the Company, including for billing and collection.
- Research. Generating and reviewing reports and data, and to conduct research on the Company's user base and service usage patterns. To conduct research following internal review protocols to ensure the balancing of privacy and to use anonymized data for research. Use for internal purposes such as auditing, understand our users (what they do on our Services, what features they like, how they use them, etc.), improve the content and features of our Services (such as by personalizing content to your interests), process and complete your transactions, and make special offers
- To fulfil any other purpose for which you provide us the information and/or for any other purpose with your consent.
- To check your eligibility for certain communities, events, products/services.
- Your phone number and name is visible to other users/ community leaders/ venue providers and can be used by these users for contacting you in course of any services and / or goods obtained on the Platform.

How do we share any information

We may disclose Personal Information that we collect, or you provide, as described in this privacy policy, in the following ways:

General Information Disclosures

- To our shareholders, investors and any entities under common ownership or control of the Company.
- To contractors, advertisers/service providers, credit information agencies, analytics and research partners, other banks or financial institutions, insurers or intermediaries and other third parties whom we use to support our business (e.g. logistics and delivery, to collect payments), or to improve your experience on our Platform and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- To third parties to market their products or services to you which we feel may be of interest or beneficial to you. We contractually require these third parties to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- Internally to employees and representatives to be able to provide services to you on strictly need to know basis.

Specific Disclosures

- Service Providers. We may share your information with outside vendors that we use for a variety of purposes, such as to send you communications via emails, messages or tele-call to inform you about the services and/or products that may be of interest to you, push notifications to your mobile device on our behalf, provide voice recognition services to process your spoken queries and questions, help us analyze use of our Services, process and collect payments, help us diversify the payment processing and collection methods available, and offer you special offers and services where available. Some of our products, services and databases are hosted by third party hosting

services providers. We also may use vendors for other projects, such as conducting surveys, organizing sweepstakes for us, advertising, marketing and advertisement measuring purposes. We may share information about you with these vendors only to enable them to perform their services.

- Legal Purposes. We may share your information when we believe in good faith that such sharing is reasonably necessary in order to investigate, prevent, or take action regarding possible illegal activities or to comply with legal process. We may also share your information to investigate and address threats or potential threats to the physical safety of any person, to investigate and address violations of this Privacy Policy or the Company's Terms of Service, or to investigate and address violations of the rights of third parties and/or to protect the rights, property and safety of the Company, our employees, users, or the public. This may involve the sharing of your information with law enforcement, government agencies, courts, and/or other organizations on account of legal requests such as subpoena, court order or government demand to comply with the law. Thus, we may share our information with Government institutions/authorities to the extent required:

- a) Under the laws, rules, and regulations and/or under orders of any relevant judicial or quasi-judicial authority;
- b) To protect and defend the rights or property of the Company;
- c) To fight fraud and credit risk;
- d) To enforce the Company's Terms of Use (to which this Privacy Policy is also a part); or
- e) When the Company, in its sole discretion, deems it necessary in order to protect its rights or the rights of others.

- To enforce or apply our Terms of Use available at [here](#) and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our users or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction of the Company, our users, our service providers, our payment processing partners etc.
- Consent. We may share your information in any other circumstances where we have your consent.
- We may also disclose or transfer the User Information, to another third party as part of reorganization or a sale of the assets or business of Company. Any third party to which the Company transfers or sells its assets will have the right to continue to use the Personal Information and/or other information that a User provides to Us.

5. Third Party links and services

The Services may contain links to third-party websites. Your use of these features may result in the collection, processing or sharing of information about you, depending on the feature. Please be aware that we are not responsible for the content or privacy practices of other websites or services which may be linked on the Company's Services. We do not endorse or make any representations about third-party websites or services. Our Privacy Policy does not cover the information you choose to provide to or that is collected by these third parties. We strongly encourage you to read such third parties' privacy policies.

6. Anonymous or de-identified data

We may anonymize and/or de-identify information collected from you through the Services or via other means, including via the use of third-party web analytic tools as described below. As a result, our use and disclosure of aggregated and/or de-identified information is not restricted by this Privacy Policy, and it may be used and disclosed to others without limitation.

7. Cookies

Cookies are alphanumeric identifiers with a small amount of data that is stored on the user's device hard-drive containing information about the user, commonly used as an anonymous unique identifier. We may offer certain features only through 'cookies' and may also collect information about you using these cookies. Please note, a cookie in no way gives the Company access to your device. Other websites may place their own cookies or other files on your device, collect data or solicit Personal Information from you, for which the Company shall not be held responsible or liable. We encourage you to read the privacy policies of all external sites. We also use cookies from third party partners for marketing and promotional purposes. Please note that most web browsers are set to accept cookies by default. We strive to provide you with choices regarding the Personal Information you provide to us.

8. Security Precautions

We ensure to maintain reasonable physical, electronic, and managerial procedures to safeguard and help prevent unauthorized access to your information and to maintain data security. These safeguards take into account the sensitivity of the information that we collect, process and store and the current state of technology. We follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. The access to the Services is offered through the use of a secure server and adhere to our security guidelines to protect it against unauthorized access. However, by using the Services, the users accept the inherent security implications of data transmission over the internet and the World Wide Web which cannot always be guaranteed as completely secure, and therefore, there would always remain certain inherent risks regarding use of the Services.

We assume no liability or responsibility for disclosure of your information due to errors in transmission, unauthorized third-party access, or other causes beyond our control. You play an important role in keeping your Personal Information secure. You should not share your username, password, or other security information for your account with anyone. If we receive instructions using your username and password, we will consider that you have authorized the instructions for such use.

9. Permissible Age

The Services are not intended for users under the age of 18 (eighteen), unless permitted under applicable local laws (Permissible Age). We do not knowingly collect any Personal Information from users or market to or solicit information from anyone under the age of 18 and use of our Services is available only to persons who can form a legally binding contract under the Indian Contract Act, 1872. If you are under the age of 18 years then you must use the Services under the supervision of your parent, or legal guardian. If we become aware that a person submitting Personal Information is under the age of 18 years, we will delete the account and any related information as soon as possible.

10. Data Retention

A user can close an account by visiting the profile settings page on our website. A user may request for deletion of its Personal Information by raising a request with the Grievance Officer as per the provisions of Section 14 of this Privacy Policy. Notwithstanding the foregoing, we reserve the right to: (i) delete your account by ourselves based on any violation of our policies, terms and code of conduct; and (ii) retain your Personal Information in accordance with applicable laws, for a period no longer than is required for the purpose for which it was collected or as required under any applicable law. We may retain information about you for the purposes authorized under this Privacy Policy unless prohibited by law. Thereafter, we will either delete your Personal Information or de-identify it so that it is anonymous and not attributed to

your identity. We may archive information to prevent, investigate, or identify possible wrongdoing in connection with the Service or to comply with legal obligations. We may also continue to retain your data in anonymised form for analytical and research purposes.

11. Job Applicants

If your information is submitted to us through our Service when applying for a position with the Company such as for a prospective corporate employee, community leader, etc, the information will be used to consider your application. We may retain your information for any period of time. This information may be shared with other companies for the purpose of evaluating your qualifications for the particular position or other available positions, as well as with third-party service providers retained by us to collect, maintain and analyze candidate submissions for job postings.

12. Your Consent

By accessing or using the Services or by providing your information, you consent to the collection, use, storage, disclosure and otherwise processing of your information (including sensitive Personal Information) on the Services in accordance with this Privacy Policy. If you disclose to us any Personal Information relating to other people, you represent that you have the authority to do so and to permit us to use the information in accordance with this Privacy Policy.

You, while providing your Personal Information in relation to the Services or any partner platforms or establishments, consent to us to contact you through SMS, instant messaging apps, call and/or e-mail for the purposes specified in this Privacy Policy. All the information provided to the Company by a User, including Sensitive Personal Data or Information, is voluntary. User has the right to withdraw his/her/its consent at any time, in accordance with the terms of this Privacy Policy and the Terms of Use, but please note that withdrawal of consent will not be retrospective.

Users can access, modify, correct and delete the Personal Information provided by them which has been voluntarily given by the User and collected by the Company in accordance with this Privacy Policy and Terms of Use. However, if the User updates his/her information, the Company may keep a copy of the information which User originally provided to the Company in its archives for User documented herein. In case the User seeks to update or correct, his/her Personal Information , the User may exercise these rights by emailing the Company at [Shashwat@misfits.net.in] communicate the change(s) for updating the Company's records.

In case the User does not provide his/her information or consent for usage of Personal Information or subsequently withdraws his/her consent for usage of the Personal Information so collected, the Company reserves the right to discontinue the services for which the said information was sought.

13. Changes to this Privacy policy

We reserve the right to amend this Privacy Policy from time to time to reflect changes in the law, our data collection and use practices, the features of our services, or advances in technology. Please check this page periodically for changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is used. If we make any material changes to this Privacy Policy, we will post the changes here. Please review the changes carefully. Your continued use of the Services following the posting of changes to this Privacy Policy will constitute your consent and acceptance of those changes.

14. Grievance Officer

In accordance with Information Technology Act, 2000 and the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011, the name and contact details of the Grievance Officer are provided below:

Name – Shashwat Narhatiyar –

Address - O28 Ground Floor, O Block, South City 1, Sector 40, Gurugram- 122001, Haryana, India

Email id: Shashwat@misfits.net.in

15. Contact us

If you have any queries relating to the processing/ usage of information provided by you or the Company's Privacy Policy or if you would like to raise any other inquiries, you may email us at the contact information provided above under section 14 of this privacy policy.

Last Updated as of April 15, 2024