

TMW's Privacy Policy

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TriVayu Media Works Private Limited, a company incorporated under the Companies Act, on 29th March, 2020, having registered office at F605, Prateek Wisteria, Sec 77, Noida, Gautam Buddha Nagar, Uttar Pradesh - 201301 ("TMW", "Company" or "we" or "us" or "our"), provides content creation and marketing services through offline mediums and online mediums including its website tmworks.in (collectively referred to as "Platform"). Any service availed by users of the Platform, inclusive of the Creators (as defined in the Terms of Service), Customers (as defined in the Terms of Service) and the Visitors who visit the page (hereinafter referred to as "you", "your" or "User") through the Platform is conditioned upon your acceptance of the terms and conditions contained in Terms of Service as available on Platform and this privacy policy ("Privacy Policy").

THIS PRIVACY POLICY HAS BEEN DRAFTED AND PUBLISHED IN ACCORDANCE WITH THE INFORMATION TECHNOLOGY ACT 2000; THE INFORMATION TECHNOLOGY (AMENDMENT) ACT 2008; AND THE INFORMATION TECHNOLOGY (REASONABLE SECURITY PRACTICES AND PROCEDURES AND SENSITIVE PERSONAL DATA OR INFORMATION) RULES 2011. THIS PRIVACY POLICY CONSTITUTES A LEGAL AGREEMENT BETWEEN YOU, AS A USER OF THE PLATFORM AND US, AS THE OWNER OF THE PLATFORM. YOU MUST BE A NATURAL PERSON WHO IS AT LEAST 18 YEARS OF AGE.

I. Introduction and applicability

1. We are strongly committed to respecting your online privacy and recognize the need for appropriate protection and management of any personal information collected and/or collated by us.
2. The purpose of this Privacy Policy is to ensure that there is an intact charter to collect, use and protect any personal and/or sensitive data collected by us. This Policy defines our procedure for collection, usage, processing, disclosure and protection of any information obtained by us through the Platform.
3. Any reference made to Privacy Policy in this document shall mean and refer to the latest version of the Privacy Policy

II. Disclaimer

1. Please be advised that any Information (as defined herein below) procured by us, shall be:
 1. processed fairly and lawfully for rendering the Services (as defined in Terms of Service);
 2. obtained only for specified and lawful purposes, and not be used in any manner which is against the law or policy in force in India ("Applicable Law");
 3. adequate, relevant and not excessive in relation to the purpose for which it is required;
 4. able to be reviewed by the User, from time to time and updated-if need arises; and
 5. not kept longer than for the time which it is required or the purpose for which it is required or as required by the applicable law.
2. WE SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE SUSTAINED BY REASON OF ANY DISCLOSURE (INADVERTENT OR OTHERWISE) OF ANY DATA, IF THE SAME IS EITHER (A) REQUIRED FOR SHARING YOUR INFORMATION FOR LEGITIMATE PURPOSES; OR (B) WAS AFFECTED THROUGH NO FAULT, ACT, OR OMISSION OF THE COMPANY.
3. BY USING THE SERVICES, YOU EXPLICITLY ACCEPT, WITHOUT LIMITATION OR QUALIFICATION, THE COLLECTION, USE AND TRANSFER OF THE DATA IN THE MANNER DESCRIBED HEREIN.
4. PLEASE READ THIS PRIVACY POLICY CAREFULLY AS IT AFFECTS YOUR RIGHTS AND LIABILITIES UNDER LAW.

III. Your consent

1. Please note that by providing the Information (as enumerated upon herein below), you provide your consent and authorize us to collect, use or disclose such Information for the business and research purposes and as stated in this Privacy Policy, the Terms of Service and as permitted or required by applicable law. Moreover, you understand and hereby consent that this Information may be transferred to any third party user for the purpose of providing Services through the Platform or to any third-party providers for rendering Services (as defined in the Terms of Service), any jointly developed or marketed services, payment processing, order fulfillment, customer services, data analysis, information technology services and such other services which enable us to provide Services through the Platform.
2. This Privacy Policy shall be enforceable against you in the same manner as any other written agreement. By visiting or accessing the Platform and voluntarily providing us with Information (including Personal Data), you are consenting to our use of the Information, in accordance with this Privacy Policy. If you do not agree with this Privacy Policy, you may refuse or withdraw your consent any time, or alternatively choose to not provide us with any Personal Information. Under such circumstances, your access to the Services we provide may be limited or we may be unable to render Services.
3. Such an intimation to withdraw your consent can be sent to tsr@tmworks.in

IV. Information collected by us

1. "Personal Data" means and includes any Information that relates to a natural person through which an individual is identified, such as the name, contact details, email address, gender, age, organisation name, organisation email id or any other relevant material provided by a User, including but not limited to information gathered through availing Services.
2. "Technical Information" means and includes any Information gathered through various technologies that may employ cookies, web beacons, or similar technologies to automatically record certain information from your device through which you use the Platform. This technical information may include your Internet Protocol (IP) address, device or browser type, Internet service provider (ISP), referring or exit pages, clickstream data, operating system, hardware model, operating system version, unique device identifiers, and mobile network. This data includes usage information and user statistics.
3. "Locational Information" shall mean and include the information obtained through GPS or other means, such as the geographical location of the User.
4. "Non-Personal Information"
 1. "Information through use of our service" means and includes information which is shared with us to avail our Services.
 2. "Non-Personal Information" means and includes any information that does not reveal your specific identity, such as, browser information, information collected through Cookies (as defined below), pixel tags and other technologies, demographic information, etc. As is true with most websites, our Company gathers some information automatically when you visit the Platform. When you use the Platform, we may collect certain information about your computer or mobile to facilitate, evaluate and verify your use of the Platform. For example, we may store environmental variables, such as browser type, operating system, click patterns and the internet protocol (IP) address of your computer. This information is generally collected in aggregate form, without identifying any user individually.

V. Collection and Usage of this Information

1. Depending on whether you are a Responder or Visitor, the data collected by us shall be used for availing our Services and utilised for other functions including but not limited to:
 1. to render Services (as defined in the Terms of Service); maintaining the Platform;
 2. to evaluate the quality and competence of our personnel;
 3. to resolve any complaints, you may have and ensure that you receive the highest quality of Services;
 4. notifying you about changes to our Platform;
 5. allowing you to participate in interactive features of our Platform when You choose to do so;
 6. providing analysis or valuable information so that we can improve the Platform;
 7. monitoring the usage of the Platform;
 8. detecting, preventing and addressing technical issues;
 9. analyse usage patterns and user preferences
 10. improve user experience
 11. notify you about new products and features
2. Business or Research Purposes: The Information saved and except Personal Information, is used for business or research purposes, including improving and customizing the Platform for ease of use and the products and services offered by us. We may archive this information to use it for future communications for providing updates and/or surveys.
3. Aggregating Information / Anonymized data: We may aggregate Information and analyse it in a manner to further accentuate the level of services that we offer to our customers. This Information includes average number of Users of the Platform, the average clicks of the services/, the features used, the response rate, etc. and other

such statistics regarding groups or individuals. In doing so, we shall not be making disclosures of any Personal Information as defined above.

4. (Collectively referred to as “Legitimate Purpose”)

VI. Disclosure and Sharing of Information

We do not rent, sell or disclose or share any Information that we collect from you, with third parties, save and except in order to provide you with the Services or for the Legitimate Purposes as specified above.

VII. Transfer of Information

1. Your information may be transferred to, and maintained on, computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ from those from your jurisdiction.

2. If you are located outside India and choose to provide information to us, please note that we may transfer the data to India to process the Information.
3. Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.
4. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of your data will take place to an organization or a country unless there are adequate controls in place including the security of your data.

VIII. Your Rights

You can always choose not to provide the requested information to us, it may however result in you not availing certain features of, or the entire, of our Services. You retain several rights in relation to your Personal Information as provided under applicable law. These may include the rights to:

1. access, confirm, and review Personal Information you may have provided;
2. correct Personal Information that may be inaccurate or irrelevant;
3. deletion and erasure of your Personal Information from the publicly available pages of the Platform;

4. receive Personal Information we hold about you in a portable format;
5. object to or restrict any form of processing you may not be comfortable with;

In order to exercise these rights, please contact us on the email address provided in Clause 3.3 above.

If you want to withdraw your consent or raise any objection to the use of your information for receiving any direct marketing information to which you previously opted-in, you can do so by contacting our customer support at above mentioned addresses. If you withdraw/object your consent, our use of your information before you withdrew/objected shall still be lawful.

IX. Children's Privacy

Our Platform and Services are not meant for use by children and we knowingly do not collect Information of/from children (any person below the age of 14). If it comes to our notice that

we have collected Information from/of children, we shall take steps to remove that information from our servers. If you believe that we might have any Information that may have been collected from a child or has been provided by a child, please write to us at the email id provided in Clause 3.3.

X. Control the collection or use of the Information

If you have any reservations, constraints or apprehensions regarding the access to, collection, storage, or any other use of the Information which you have provided to us, you may withdraw your consent in the manner as set out in Clause 3.3 above.

XI. Retention of Information

All Information provided by you, save and except upon withdrawal or termination, shall be retained in locations outside the direct control of Company (for instance, on servers or databases co-locates with hosting providers). We will delete Information based on a request received from you within a reasonable period and latest within 30 (thirty) days of receiving a deletion request. However, we may retain such portion of Information and for such periods as may be required under Applicable Law. Notwithstanding anything contained herein, Company may retain data after account deletion for reasons including but limited to the following purposes: If there is an unresolved issue relating to your account, or an unresolved claim or dispute; If we are required to by applicable law; and/or in aggregated and/or anonymized form; or Company may also retain certain information if necessary for its legitimate business interests, such as fraud prevention and enhancing Users' safety and security.

XII. Cookies and other Tracking Technologies

1. Our Platform may utilise “cookies” and other Technical Information. “Cookies” are a small text file consisting of alphanumeric numbers used to collect the Information about Platform activity. The Technical Information helps us analyse web traffic and helps you by customizing the Platform to your preferences. Cookies in no way gives us access to your computer or mobile device. In relation to Cookies, you can deny access to the installation of the Cookies by modifying the settings on your web browser, however, this may prevent you from taking full advantage of the Platform.

2. Our use of Cookies and Technical Information allows us to improve Platform and your experience of Platform and Services. We may also analyse Technical Information that does not contain Personal Information for trends and statistics.

XIII. Third Party Services

We may use your Information to send you promotional Information about third parties which we think you may find interesting, if you tell us that you wish this to happen. We shall not be responsible for any disclosure of Information due to unauthorized third-party access or other acts of third parties or acts or omissions beyond our reasonable control and you agree that you will not hold us responsible for any breach of security unless such breach has been caused as a direct result of our negligence or wilful default.

XIV. Data Security

You agree and accept that your Information may be stored in third-party cloud service infrastructure providers. While all reasonable attempts have been taken from our end to ensure the safe and secure storage of your data, we shall not be liable for any data breach on the part of the third-party cloud service infrastructure provider that was beyond our control. In addition to the security measures put in place by the third-party cloud service infrastructure provider for safe and secure storage of your Information, we use certain physical, managerial, technical or operational safeguards as per industry standards and established best practices to protect the Information we collect. We use reasonable security practices and procedures and use secure servers as mandated under applicable laws for the protection of your Information. We review our Information collection, storage, and processing practices, including physical security measures to guard against unauthorized access to systems. However, as effective as these measures are, no security system is impenetrable. If you have any concerns, please feel free to contact us at the details given in Clause 3.3 above.

XV. Changes and updates to Policy

We may modify or revise the Privacy Policy from time to time and shall accordingly notify you of any changes to the Privacy Policy by posting the revised Privacy Policy on the Platform with an updated date of revision. We shall endeavour to review, revise, update, modify, amend or correct the Privacy Policy on a regular and routine basis, especially whenever a significant update is made to the technology employed by us. You must periodically review the Privacy Policy for the latest information on our privacy practices. In the event you continue to use the Platform and our services after any update in the Privacy Policy, your use of the Platform shall be subject to such updated privacy policy. Your continued usage of

Services, post any amendment would deem to mean that you accept and understand the revised Privacy Policy. Further, we retain the right at any time to deny or suspend access to all, or any part of, the service to anyone who we reasonably believe has violated any provision of this Privacy Policy.

XVI. Discrepancies and Grievances with Company

1. In case of any discrepancy or grievance with respect to all or any Information shared with Company, please feel free to contact us at:

Attention: Krishna Sharma

Email ID: Krish@tmworks.in

Address: C34, First Floor, Madhu Vihar, IP Extension, East Delhi, Delhi - 110096

2. We assure you that we shall ensure implementation of the Privacy Policy and shall make the Privacy Policy available to individuals and put our best efforts to redress the grievances of the User expeditiously within 1 (one) month from the date of receipt of the grievance.

XVII. Miscellaneous

THE INVALIDITY OR UNENFORCEABILITY OF ANY PART OF THIS PRIVACY POLICY SHALL NOT PREJUDICE OR AFFECT THE VALIDITY OR ENFORCEABILITY OF THE REMAINDER OF THIS PRIVACY POLICY. THIS PRIVACY POLICY DOES NOT APPLY TO ANY INFORMATION OTHER THAN THE INFORMATION COLLECTED BY US THROUGH THE PLATFORM. THIS PRIVACY POLICY SHALL BE INAPPLICABLE TO ANY UNSOLICITED INFORMATION YOU PROVIDE US THROUGH THE PLATFORM OR THROUGH ANY OTHER MEANS. THE RIGHTS AND REMEDIES AVAILABLE UNDER THIS POLICY MAY BE EXERCISED AS OFTEN AS NECESSARY AND ARE CUMULATIVE AND NOT EXCLUSIVE OF RIGHTS OR REMEDIES PROVIDED BY LAW. RIGHTS UNDER THIS POLICY MAY BE WAIVED ONLY IN WRITING. DELAY IN EXERCISING OR NON-EXERCISE OF ANY SUCH RIGHT OR REMEDY DOES NOT CONSTITUTE A WAIVER OF THAT RIGHT OR REMEDY, OR ANY OTHER RIGHT OR REMEDY.

XVIII. Governing Laws and Jurisdiction

This Privacy Policy, our Services and the use of it is governed by the laws of India and the courts in Delhi, India shall have exclusive jurisdiction over any disputes connected to our Platform or the Services.