**DATA COLLECTION CONTRACT**

This Contract is executed at Delhi by and between Hero MotoCorp Ltd, a company duly incorporated under the Indian Companies Act having its office at 34, Community Center , Basant Lok, Vasant Vihar, New Delhi – 110057 through its authorized representative Shri Sujoy Brahmachari, hereinafter referred to as the Party of the First Part, which expression shall, unless repugnant thereto, shall include and mean all its legal representatives, executors, successors and assigns

AND

Yourself being the visitor to the website / App and/or legal person who is either a new user or a registered user on the website / App, hereinafter referred to as the Party of the Second Part, which expression shall, unless repugnant thereto, shall include and mean all its legal representatives, executors, successors and assigns.

Whereas the Party of the First Part is committed to respecting the privacy of personal information and sensitive personal data or information of individuals;

And Whereas the Party of the First Part has prepared policies and practices concerning the collection, usage and disclosure of personal information and sensitive personal data or information of individuals;

And Whereas Party of the First Part protects the privacy of individuals by complying with the operative legislation being the amended Information Technology Act, 2000 and rules and regulations made thereunder including as the Information Technology (Reasonable Security Practices And Procedures And Sensitive Personal Data Or Information) Rules, 2011 and also the Information Technology (Intermediaries Guidelines) Rules, 2011;

And Whereas by means of the present Agreement/ Contract, the Party of the First Part agrees to and is collecting the personal data as well as sensitive personal data and information of the Party of the Second Part

**NOW THIS DEED OF DATA COLLECTION CONTRACT WITNESSETH AS UNDER:-**

1. That the parties agree that in this contract, unless the context otherwise requires, the terms used shall have the meanings as given in the Definitions clause of Data Privacy Framework of the company
2. That the parties agree that the Party of the First Part shall collect the personal data as also sensitive personal data and information of the Party of the Second Part in accordance with its Data/Information Collection Policy as well as the terms of the present contract. The contents of the Data/Information Collection Policy may also be read as part and parcel of the present contract and are once again reaffirmed and reiterated and are not repeated here for the sake of brevity.
3. That the Party of the Second Part hereby specifically, absolutely and unconditionally gives its free, fair and informed consent and prior permission to the collection of its personal data as also sensitive personal data and information by the Party of the First Part, including within the meaning of Rule 6(1) of the Information Technology (Reasonable Security Practices And Procedures And Sensitive Personal Data Or Information) Rules, 2011.
4. That the Party of the Second Part understands, agrees and declares that the Personal and Identifiable information includes personal characteristics such as home address, telephone number, Aadhaar numbers and financial information and that its sensitive personal data or information shall be as defined in this contract.
5. That the Party of the Second Part declares that in providing personal information about other individuals, it represents that it has notified them of the purposes for which the information will be used, the recipients of the information, and how they can access and correct the information, and that it has obtained their consent in connection with the transaction at hand.
6. That the Party of the Second Part hereby specifically agrees that the Party of the First Part may be required to disclose the sensitive personal data and information so collected under the present contract to third parties and governmental agencies. The Party of the Second Part hereby specifically, unconditionally and absolutely agrees and consents to such disclosure of its sensitive personal data and information so collected by the Party of the First Part, without any objection of any kind whatsoever. The Party of the Second Part further hereby specifically, unconditionally and absolutely agrees and consents to such disclosure of its sensitive personal data and information so collected by the Party of the First Part, where the disclosure is necessary for compliance of a legal obligation.
7. That the Party of the Second Part further consents and agrees to the provisions of the Data Disclosure Policy as well as Data Sharing with Government Agencies Policy of the Party of the First Part. The contents of the Data Disclosure Policy as well as Data Sharing with Government Agencies Policy of the Party of the First Part may also be read as part and parcel of the present contract and are once again reaffirmed and reiterated and are not repeated here for the sake of brevity.
8. That the Party of the Second Part undertakes not to challenge in any manner whatsoever the present Contract, any of its provisions as well as its unequivocal, absolute and unconditional consent given hereunder pertaining to the collection of its personal information as well as sensitive personal data and information.
9. That the Party of the Second Part has entered into this Contract out of his/her own sweet will and volition and without any outside force, influence and coercion of any kind whatsoever.

IN WITNESS WHEREOF THE PARTIES TO THE CONTRACT HAVE GIVEN THEIR CONSENT ON THE DAY, MONTH AND YEAR OF ACCESSING THE WEBSITE [WWW.HEROMOTOCORP.COM](http://WWW.HEROMOTOCORP.COM) AND ACCEPTING ITS TERMS AND CONDITIONS, RULES AND REGULATIONS AND RELATED LEGAL DOCUMENTATIONS.

PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

**CONSENT OBTAINING FORM**

To

Hero MotoCorp Ltd.

34, Community Centre,

Basant Lok, Vasant Vihar,

New Delhi - 110057

**SUBJECT**: **CONSENT OBTAINING FORM UNDER RULE 5 & 6 OF THE INFORMATION TECHNOLOGY (REASONABLE SECURITY PRACTICES AND PROCEDURES AND SENSITIVE PERSONAL DATA OR INFORMATION) RULES, 2011**

Sir,

I being the visitor to the website / App and/or legal person who is either a new user or a registered user on the website / App, hereinafter referred to as the Party of the Second Part, which expression shall, unless repugnant thereto, shall include and mean all its legal representatives, executors, successors and assigns, would like to submit as under:-

1. That I would like to enter into a legal business relationship with your company.
2. That in regard to the same, I understand that your company is required to collect my information including my sensitive personal data within the meaning of the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011.
3. I hereby give my absolute, unconditional and unequivocal consent, approval and prior permission to your company to collect my data including my sensitive personal data and information, within the parameters of prevailing law for the time being in force including the Indian Information Technology Act, 2000 and the rules and regulations made thereunder. My absolute, unconditional and unequivocal consent, approval and prior permission as mentioned in this paragraph has been given, out of my own sweet will and volition and without any outside force, coercion or influence of any kind whatsoever, within the meaning of Rule 5 of the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011.

1. I understand that my data including my sensitive personal data and information is being collected for the performance of the aforesaid legal business relationship and also for the performance of statutory obligations imposed upon your company as an intermediary under the Indian Information Technology Act, 2000.
2. I further undertake that I shall have complete rights to withdraw my consent at any point of time in the future within the parameters of the existing law. As and when I would be required to do the same, I will then appropriately exercise my option in this regard.
3. Till such time as I do not withdraw my aforesaid consent, I declare and undertake that my absolute, unconditional and unequivocal consent, approval and prior permission as given above, has been given without any restriction, qualification or condition of any kind whatsoever and shall continue to be binding on me for all times to come.

Visitor to the website / App and/or legal person who is either a new user or a registered user on the website / App, being the Party of the Second Part,