SERVICE RULES

NATIONAL INSTITUTE OF INDUSTRIAL ENGINEERING
VIHAR LAKE, MUMBAI-400 087.

(Updated as on December, 2005)
NITIE SERVICE RULES

Chapter-1

PRELIMINARY

(Approved by the Board of Governors and the Government of India)

Preamble

In accordance with Rules 12 (xvi & xvii) of NITIE, the following Service Rules have been framed:

1. Short Title and Commencement

1.1 These rules shall be called 'NITIE Service Rules'.

1.2 They shall be brought into force with immediate effect.

2. Application

2.1 These rules shall apply to every employee of the Institute.

2.2 Notwithstanding anything contained in clause (1) above, the Board may, under special circumstances and for specific purposes by agreement with any employee, make such special provisions regarding his/her conditions of service as it considers necessary, and thereupon these rules shall not apply to such employee to the extent to which the special provisions are inconsistent therewith.

3. Definitions

(a) "Institute" means NITIE, Mumbai.
(b) "Authorities" and "Officers" respectively mean the Authorities and Officers of the Institute.
(c) "Board" means the Board of Governors of the Institute.
(d) "Chairman" means the Chairman of the Board.
(e) "Vice Chairman" means the Vice Chairman of the Board.
(f) "Director" means the Director of the Institute.
(g) "Registrar" means the Registrar of the Institute.
(h) "Appointing Authority" in relation to any post under the Institute means the authority competent to make appointments to the post under the Rules.
(i) "Controlling Authority" means:
   (i) In relation to posts carrying a pay scale of which
       the maximum is Rs. 11,500/- and above, the Director.

   (ii) In relation to all other posts in all grades, the Registrar.

(j) "Employee" and "member of the Staff" means a person
    serving in the Institute in any post in the First Schedule.

(k) "Year" means the financial year which begins on 1st of
    April and ends on 31st March following.

(l) "Faculty" means the faculty of the Institute.

(m) "Pay" means the pay admissible on the relevant date
    and includes 'special pay' and 'personal pay' but shall
    not include any allowance, fees or honorarium.

(n) "Sanctioning Authority" means:
    (i) In respect of permanent posts of all categories,
        other than the posts whose maximum in the
        scale of pay exceeds Rs. 15,200/- p.m., the Board
        of Governors.

    (ii) In respect of temporary posts whose maximum in the
         scale of pay is above Rs. 9,000/- p.m. but not
         exceeding Rs. 15,200/- p.m. for a period of one year,
         the Chairman/Vice-Chairman.

    (iii) In respect of temporary posts whose maximum in the
          scale of pay is Rs. 9,000/- or less, for a period not
          exceeding one year, the Director.

    (iv) In respect of casual posts, a daily wage rate of not
         more than Rs. 125.20/- for a period not exceeding one
         month, the Director.

(o) "Schedule" means the schedule of these Rules.

Note:  
(1) All words and expressions used but not defined in
       the NITIE Service Rules and defined in the Rules
       of the Institute shall have the meaning respectively
       assigned to them in the said Rules.

(2) The term "Salary" wherever used in these Rules means "Pay" as defined in the FRs and SRs of the
    Government of India.
Chapter-II

4. Creation of Posts

4.1 The posts under the Institute shall be of the grades and categories specified in Schedule-1.

4.1.1 Concurrence of the Government of India shall be obtained for upgradation/revision of scales of any of the posts in the existing categories.

4.2 The Board may direct:

(a) The creation of any new grade or category of post subject to the concurrence of the Government of India.

(b) The abolition of any grade or category of post.

(c) The transfer of any category of post from one grade to another, and thereupon Schedule-1 shall stand amended in accordance with such direction of the Board. Government of India shall be notified in all such cases.

5. Number of Posts and Duties

5.1 The "Sanctioning Authority" in relation to any category of post shall have, subject to the concurrence of any higher authority, the power:-

(i) To determine the number of posts in the category.

(ii) To create or abolish any post in the category.

(iii) To determine whether any post created in the category shall be temporary or permanent.

(iv) To specify the period for which a temporary post is created.

(v) To determine the duties attached to any post in the category.

Chapter-III

6. Classification of the Staff

6.1 The members of staff of the Institute shall be classified into three broad categories as follows:

(a) Academic: This term shall include Director, all grades of Professors, Associate Professors, Assistant Professors, and teaching posts, as may be created by the Board.
This shall include academic staff of MIS/EDP Centre, viz., Manager (Computer Centre), Systems Designer Sr. Programmers, Programmers and Library & Information Officer.

(b) Non-Academic : This term shall include Registrar, Controller of Examinations, Deputy Registrar, Assistant Registrar, Medical Officer, Hindi Officer, Superintendents, Sr. Translator (Hindi), Assistants, Stenographers, Clerks, Hostel Staff, etc. as shown in Schedule-1 and such other posts, as may be created by the Board.

(c) Technical : This term shall include the Institute Engineer, Video Cameraman, Technical Assistant, Overseer, Draftsman, Mechanics of all grades, etc., as shown in Schedule-1. This also includes technical staff of MIS/Computer Centre. viz., Data Processing Assistant, Data Entry Operator.

Chapter-IV

APPOINTMENTS

7. Appointing Authorities

7.1 Appointment to a post in the Institute shall be made:

(i) In the case of permanent posts having a pay scale with a maximum above Rs. 11,500/- by the Board.

(ii) In the case of temporary posts having a pay scale with a maximum above Rs. 9,000/- the Chairman or Vice-Chairman

(iii) The Director, in the following cases:

(a) Permanent posts having maximum of Rs. 11,500/- and below,

(b) Temporary posts having a maximum of Rs. 9,000/- and below,

(c) Casual posts on daily wages upto Rs. 125.20 per diem.

Note: The Director may, at his discretion, delegate these powers in respect of permanent and temporary posts having maximum of Rs. 4,000/- and below and all casual posts to Registrar.
8. Recruitment

8.1 All posts shall normally be filled by advertisement, but the Board shall have the power to decide, on the recommendation of the Director, whether a particular post shall be filled by invitation or by promotion from serving employees.

8.2 Every appointment, except by invitation, shall be processed by the appropriate Selection Committee.

8.3 While making appointments, the Appointing Authority shall take into consideration the claims of Scheduled Caste/Tribe candidates as per rules of the Government of India, consistent with the maintenance of efficiency of administration and academic work.

9. Selection and Personnel Committees

9.1 Selection Committee for filling up posts under the Institute shall be constituted as below:

(a) In the case of posts having a pay scale with a maximum above Rs. 13,500/-
   
   (i) Two members of the Board of Governors,
   
   (ii) Director,
   
   (iii) Two experts in the appropriate field to be drawn by the Director from an appropriate panel, approved by the Board/Chairman.

(b) In the case of posts having a pay scale the maximum of which is between Rs. 9,001/- & Rs. 13,500/-

   (i) Director and/or his nominee.
   
   (ii) Two members from the faculty and/or administration.
   
   (iii) An outside specialist co-opted by the Director.

(c) For posts having a pay scale the maximum of which is between Rs. 4,000/- and Rs. 9,000/- (inclusive):

   (i) Director and/or his nominee.
   
   (ii) Two members from the faculty and/or administration.

(d) In the case of posts having a pay scale below Rs. 4,000/-
(i) Registrar.
(ii) A staff member from the user Department/Section.

9.2 In the absence of the Director, any member of the staff of the Institute who is appointed to perform the current duties of the Director, shall take his place in the Selection Committee mentioned above.

9.3 The Selection Committee shall make its recommendations to the Appointing Authority in respect of the candidates found suitable and the initial pay in the prescribed scale against each of them. The Selection Committee may decide by itself the method of evaluating the candidates at the interview.

9.4 No act or the proceedings of any Selection Committee shall be called in question on the ground merely of the absence of any member or members of the Selection Committee. Provided that, if any meeting of the Selection Committee is necessary, at least seven days notice shall be given to the members.

9.5 Personnel Committee:

(a) A Personnel Committee consisting of the following shall be constituted:

(a) Chairman of the Board of Governors
(b) Director
(c) Two members of the Board of Governors.
(d) Registrar

Chairman Member Members Secretary

(b) The Personnel Committee shall decide on matters such as:

(i) Confirmation of employees for whom the Board is the Appointing Authority.

(ii) Action to be taken on representations and/or grievances made by employees in respect of matters being referred to for consideration at a meeting of the Board.

The Personnel Committee shall report such decisions taken by it to the Board at its next meeting.
(c) The Personnel Committee shall make recommendations to the Board on:-

(i) Termination of services of employees for whom the Board is the Appointing Authority.

(ii) Appointments on contract for which the Board is the Appointing Authority.

10. Appointments on Deputation

10.1 An employee of the Central/State Government or of a corresponding Institute (autonomous organisations) may be appointed on deputation to any post on such terms and conditions mutually acceptable.

11. Application Fees

11.1 An outside candidate applying for a post under the Institute shall be charged application fees as follows:

(a) Group 'D' Posts Rs. 50/-
(b) Group 'C' Posts Rs. 100/-
(c) Group 'B' Posts Rs. 150/-
(d) Group 'A' Posts Rs. 200/-

Note: No Postal Order for SC/ST/OBC Candidates.

11.2 Candidates selected for interview for a post under the Institute may be paid Travelling Allowance, as authorised by the Board.

12. Qualifications and Experience

12.1 The qualifications and experience for appointment to any post shall be determined by the Board.

13. Medical Fitness

13.1 No person shall be appointed to any post by direct recruitment unless he/she produces, at his/her own cost, a certificate of sound health and physical fitness as laid down below:

(a) Posts having a pay scale with a maximum of Rs. 11,500/- and above.

Medical Board constituted by the IIT, Bombay.

(b) All other posts

Medical Officer of the Institute.
Note: In the case of posts at (a) above, a certificate of physical fitness will be acceptable initially from a Civil Surgeon or the Medical Officer of the Institute. For confirmation in the post, however, certificate of physical fitness from the Medical Board will be necessary.

13.2 The Chairman/Vice-Chairman may for sufficient reasons relax the medical requirements in any particular case or dispense with such medical examination.

14. Character and Antecedents

14.1 The Appointing Authority must be satisfied that the candidates for appointment possess good character and antecedents.

15. Proof of Age

15.1 Every employee shall be required to produce documentary evidence (viz., S.S.L.C. or Matriculation Certificate, or Life Insurance Policy) at the time of his/her joining duty or immediately thereafter in support of his/her date of birth.

Chapter-V

TENURE

16. Probation

16.1 Every candidate appointed to a permanent academic post in the Institute (other than the Director) after the commencement of these rules, whether by promotion or by direct recruitment, shall normally be on probation for a period of two years, except in the case of candidates appointed on contract for any specific tenure, in which case, the terms of contract, if any, shall govern the probation. Candidates appointed to non-academic and technical posts, whether by promotion or direct recruitment, shall normally be on probation for one year; provided that:

the Appointing Authority may, in any individual case, extend the period of probation for a period not exceeding one year in the case of academic staff and six months in the case of non-academic and technical staff.
16.2 The service of an employee on probation may be terminated during the period of probation without notice and without assigning any reasons in terms of the conditions of his/her service laid down in his/her appointment letter. Employees promoted and on probation may be similarly reverted to the post originally held by them.

16.3 If after the expiry of the probationary period or its extension a person is not confirmed he/she shall be deemed to have continued on temporary basis and his/her services shall be governed by the rules applicable to temporary employees.

16.4 Every person appointed to a permanent post under the Institute, by promotion or direct recruitment, shall, on satisfactory completion of probation, be eligible for substantive appointment to that post.

16.5 A candidate appointed under a contract containing special terms for a specific period against a permanent post, may, on satisfactory completion of the contract period, become eligible for consideration for permanent appointment to the post held by him/her on contract, in which case the terms and conditions of employment will be governed by the normal rules of the Institute and not the contractual terms.

17. Temporary and Permanent Service

17.1 An employee shall be a temporary employee of the Institute until he/she is appointed substantively to a permanent post.

17.2 An employee appointed substantively to any permanent post under the Institute shall be a permanent employee of the Institute.

18. Casual Employment

18.1 An employee can be on casual employment of the Institute for a continuous period not exceeding two weeks.

18.2 The eligibility of such a casual employee for a
temporary or a permanent post shall be governed by the rules of Institute governing direct recruitment.

19. Substantive Appointments

19.1 No employee shall be appointed substantively to any post unless:

(a) Such post is permanent and no other employee has a lien on that post.

(b) The services of the employee under the Institute are approved by the Appointing Authority.

20. Termination of Service

20.1 Temporary Appointments:

The services of a temporary employee may be terminated by the Appointing Authority without assigning any reasons by a notice of one month in writing given by the Appointing Authority to the employee or at any time without notice on payment of one month's pay. Similarly, if the temporary employee desires to terminate his/her service in the Institute he/she shall give one month’s notice in writing and if he/she wishes to leave immediately he/she shall pay one month’s pay in lieu of notice. The Appointing Authority, has, however, the discretion to waive the notice period.

20.2 Without prejudice to the provisions of clause 20.1 above, the services of a temporary employee shall stand terminated, if his/her appointment is made for a specific period, on the expiry of such period.

21. Contract Appointments

21.1 The services of an employee on contract shall stand terminated on the expiry of the period of his/her contract without any further notice.

22. Permanent Appointment

22.1 The services of an employee appointed substantively to a permanent post may be terminated by 3 (Three) months’ notice on either side.

22.2 An employee in the above categories desirous of being relieved prior to the completion of the aforesaid notice period shall be required to compensate the
Institute by cash payment equal to his/her monthly pay for the period which falls short of the full notice period. Where the notice period expires in the middle of a semester/term, the academic staff concerned shall be relieved only on the end of the semester/terms. If, however, he/she leaves in the middle of a semester/term, he/she shall be required to compensate the Institute by cash payment of an amount equal to his/her pay for the full semester/term.

Note: (1) The Appointing Authority may at its discretion waive the notice period.

(2) The Appointing Authority may also pay an employee, in lieu of notice.

23. Termination of Service of Employee in other cases.

23.1 The appointing authority shall have the power to terminate the services of any member of the permanent staff by three months' notice or on payment of three months' pay in lieu if the termination is on medical grounds certified by the medical authority nominated by the Board.

23.2 The appointing authority shall have the power to terminate the services of any member of the staff on grounds of retrenchment or reduction in establishment by giving to the persons concerned three months' notice or on payment of three months' pay in lieu thereof.

23.3 An employee who has submitted his/her resignation and is serving the notice period may be granted such earned leave as may be admissible but not exceeding the notice period.

23.4 A permanent employee whose services are terminated by notice period as required under these rules may be granted earned leave due during such notice period but not beyond the notice period. If earned leave admissible is more than the notice period, the unexpired earned leave may be compensated by cash payment on the basis of the last pay drawn provided the employee has been refused leave during the preceding 3 years.

24. Retirement

24.1 An employee shall retire from the service of the
Institute on the occurrence of any of the following events:

(a) On the afternoon of the last day of the month in which he/she attains the age of 62 years in the case of Teachers (i.e Director, Professors, Associate Professors, Assistant Professors,) and 60 years in the case of Academic (other than teachers), non-academic and technical posts corresponding to Group 'A', 'B', 'C', & 'D' under the Govt. of India and are on Central scale of pay.

Provided further that an employee whose date of birth is the first of a month shall retire on the afternoon of the last day of the preceding month on attaining the age prescribed for retirement.

(b) On his/her being declared medically unfit for service by the appropriate Medical Authority to be appointed by the Appointing Authority.

(c) On the imposition of the penalty of compulsory retirement.

24.2 Earned leave at the credit of an employee on the date of his/her compulsory retirement shall lapse, provided that where an employee, if in sufficient time before the date of retirement, applies for leave and same is refused in the interest of the Institute, he/she may be granted after the date of retirement, the amount of leave so refused but not exceeding the period of earned leave due on the date of retirement.

25. Extension of Service

25.1 The Board may, in exceptional cases, grant extension of service to, or re-employ any member of the staff on a year-to-year basis after attaining the age of sixty two years/sixty years, as the case may be, for a period not exceeding five years, in all.

Chapter VI

MISCELLANEOUS

26. Special provision for existing employees
26.1 Every person holding a post under the Institute at the commencement of these rules shall, at such commencement, be deemed to have been appointed under the provisions of these rules to the corresponding posts in Schedule-1.

26.2 Regulation of increment on the first of the month. The annual increment of employees be admitted from the 1st of the month in which it would fall due under the operation of the normal rules and orders regulating the increment.

27. Authentication

27.1 All orders and decisions of the Board shall be authenticated by the signature of the Secretary of the Board.

28. Holidays

28.1 The Institute shall observe in a calendar year 17 closed holidays to be chosen by the Director. These holidays shall include 3 optional holidays.

28.2 In addition to the above, employees may be permitted to avail themselves of two Restricted Holidays in a year out of a list of holidays to be prepared by the Director.

29. Service Records and Character Rolls

29.1 The Institute shall maintain a Service Record and Character Roll of each employee in such form as may be prescribed by the Chairman. The entries in the Service Records of all employees shall be made by the Controlling Authority.

30. Residuary conditions of Service

30.1 Any matter relating to the conditions of service of an employee for which no provision has been made in these Service Rules shall be determined by the Director subject to ratification by the Board.

31. Power to relax

31.1 Notwithstanding anything contained in these Service Rules the Board may, in the case of any employee, relax any of the provisions of these rules to relieve him/her of any undue hardship arising from the operation of such provisions or in the interest of the institute.
32. Removal of Doubts

32.1 Where a doubt arises as to whether any authority of the Institute is superior to any other authority or as to the interpretation or application of any of the provisions of these rules, the decision of the Board shall be final.

33. Supersession

33.1 These Service Rules, in so far as they relate to the terms and conditions of service of the employees of the NITIE, are in supersession of previous bye-laws on the subject.

34. Special Provision

34.1 Where no rules have been provided for other contingencies, Government of India Rules will be followed pending its incorporation in these rules.
<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Designation of the Post</th>
<th>Scale of Pay</th>
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<tr>
<td></td>
<td><strong>I Academic</strong></td>
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<tr>
<td>1</td>
<td>Director</td>
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<td>Professor</td>
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<td>6</td>
<td>Library &amp; Information Officer</td>
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<td>Systems Designer</td>
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<td><strong>II Non-Academic</strong></td>
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<td>+ 25% NPA not exceeding Rs. 29500/- (Pay plus NPA)</td>
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<td>Hindi Officer</td>
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<td>16</td>
<td>Secretary to Director</td>
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<td>Senior Superintendent</td>
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<td>18</td>
<td>Asst. Library &amp; Info. Officer</td>
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<td>23</td>
<td>Senior Stenographer</td>
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<td>24</td>
<td>Nurse</td>
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<td>30</td>
<td>Telephone Operator cum Receptionist</td>
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<td>Junior Stenographer</td>
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<td>34</td>
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<td>Attendant</td>
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### III Technical

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<td>Video Cameraman</td>
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<td>Data Processing Asstt. Gr. B</td>
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<td>Mechanic - 'B'</td>
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<td>Motor Cleaner</td>
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