

**RESPONSE OF SAIMT TO THE JOINT STATEMENT ISSUED BY THE DEANS OF
STATE MEDICAL FACULTIES ON THE MEDICAL DEGREE PROGRAMME
OFFERED BY SAIMT**

INTRODUCTION

1. SAIMT notes the progressive and constructive sentiments expressed in the Joint Statement of the Panel of Deans of State Medical Faculties (hereinafter referred to as “**the Panel**”) in which they have recognized and acknowledged the requirement to expand the opportunities for higher education (including medical education) through both public and private sectors.

Though there was no official communication with SAIMT regarding such a statement, this document is prepared based on Media reports.

According to the information we received the joint statement of the Dean’s are in their individual capacity which does not reflect the collective opinion of the Medical faculties nor the Senate / Council of the universities.

2. SAIMT fully endorses the Panel’s recommendations, for strong regulations to be enacted and implemented by the State, to supervise and regulate all Public and Private High Education Programmes. SAIMT too has expressed similar sentiments in the past, especially the need to have specified minimum standards which should be applied uniformly across the board for both state and private higher education institutions.
3. SAIMT has at all times been amenable to supervision of their Medical Degree Programme by the State. In fact as explained hereinafter, many of the areas recommended by the Panel as requiring government supervision, are areas which come under such State Supervision as per section 70D of the Universities Act No. 16 of 1978 and its subsequent amendments.

4. However, SAIMT notes that there are several inaccurate and/or erroneous pronouncements and findings on both fact and law in the said Joint Statement, which could have been avoided had the Panel observed *Principles of Natural Justice* and given SAIMT an opportunity to be heard prior to issuing this Joint Statement. It is unfortunate that no clarifications or documents were sought from SAIMT nor any site inspection conducted by this Panel (other than one member who participated in the SLMC review panel in July 2015) to observe and evaluate the Medical Education Programme that is conducted by SAIMT, prior to issuing this Statement.

5. SAIMT verily believes it is this lack of information that has led to misconceptions and errors of fact and law in the Joint Statement. SAIMT presumes that the Panel had no mala fides against SAIMT in making these observations and their motives are genuine. However, SAIMT is mindful that contrary to the declaration stated in the Conflict of Interest Clause, majority of the members of the Panel are members and/or ex-office bearers of the SLMC, and this Panel cannot be considered as entirely independent. Nevertheless, SAIMT is optimistic that the Panel consists of fair minded members and will consider and accept SAIMT's response in the true spirit in which it is issued. On presuming thus, SAIMT takes this opportunity to present clarifications pertaining to the said Joint Statement of the Panel. Though the Deans claim that they have no vested interest on the SAIMT it does not necessarily mean they do not have a vested interest on State Medical Faculties and their kith and kin who are undergraduates of state medical or foreign medical schools.

SAIMT emphasizes and reiterates that this response merely contains clarifications on misconceptions and errors of law and fact, directly and specifically set out in the Joint Statement issued by the Panel. The purpose of this response is to assist the Panel to take an informed decision in the future. This response does not intend in any manner, to undermine the

eminence of this Panel or the effort made by the Panel to present their recommendations. SAIMT is much appreciative of the positive and futuristic outlook of the Panel in their Observations and Recommendations. SAIMT is eager to co-operate in any endeavour to improve the Higher Education Institutions in Sri Lanka.

6. The said clarifications and corrections will be set out by reference to paragraph numbers in the said Joint Statement (hereinafter referred to as “the JS”).

THE CLARIFICATIONS

A) Paragraph 1.1 of the JS

SAITM from its inception acquired the license in terms of the Board of Investment Law of Sri Lanka Act No 4 of 1978 (as amended) having being registered under Section 17(2) of the said Act, to set up a higher education institute to provide training in Information Technology, Management and Finance, Engineering, Vocational Studies, Nursing, Languages and Health Sciences. Accordingly, at present SAIMT comprises of 5 Faculties including the Medical Faculty.

The name of SAIMT was subsequently changed to South Asian Institute of Technology and Medicine (Pvt.) Limited in 2011 February, as the Degree Programme for Medicine was found to be the most popular among the public with the highest number of candidates applying for enrolment of the Medical Degree. The name change was properly executed in accordance with the Law.

B) Paragraph 1.2 and 1.3 of the JS

(This response is also relevant to paragraphs 1.6 to 1.17 of the JS)

Paragraph 1.2 of the JS refers to a letter issued in 2009 to SAIMM and this letter of Dr. H H S Samarasinghe sets out the status of the Medical Degree as at 2009. It is important for the Panel to be apprised of the facts set out hereinafter on the establishment of the SAIMM's Medical Faculty and the present status of the Medical Degree which will comprehensively prove that the Degree Awarded by SAIMM is eligible for recognition and registration by the SLMC:

- The South Asian Institute of Technology and Management (Pvt.) Ltd (SAIMM) was established in October 2008 as a BOI project.
- An MOU was signed between Nizhny Novgorod State Medical Academy (NNMSA) Russia and SAIMM in January 2009 to conduct the MD Degree programme and is still in existence.
- In May 2009 SAIMM wrote to the President of SLMC to recognize the four years of the MD degree awarded by NNMSA which would be conducted SAIMM.
- It is to this request that Dr. H H S Samarasinghe responds that "Regulations for Prescribed Standards for recognition of institutions awarding degrees other than a university established or deemed to have been established by the Higher Education Act no. 20 of 1966 have been gazette and have still not passed by our Parliament" even up to date.

- Prof. Lalitha Mendis the President of SLMC by her letter dated August 9, 2010 has stated that SAIMT cannot exist as an off shore campus of NNMSA but may exist as a Degree awarding Institute under section 25 and 70 A-D of the Universities Act No. 16 of 1978 and the Medical Ordinance Act No.25 of 1988.
 - a) Hence on the above recommendation the venture to provide training in Health Sciences, and specifically the establishment of a Faculty of Medicine were subject to a number of reviews by different committees *inter alia* as follows;
 - a. Review by Committee Appointed by the University Grants Commission of Sri Lanka (UGC) on or about 19/11/2010
 - b. Institutional Review by Quality Assurance and Accreditation Council division of the University Grants Commission on or about 22-23/02/2011
 - c. Program Review by Quality Assurance and Accreditation Council division of the University Grants Commission on or about 24-25/02/2011
 - b) Upon adherence to recommendations of the above Committees, SAIMT was recognized as a Degree Awarding Institute leading to the award of the Degree of Medicine and Bachelor of Surgery (MBBS) by Gazette Extraordinary No 1721/19 of 30/08/2011 by the Minister of Higher Education subject to conditions therein.
 - c) In further satisfaction of condition 2(b) of the aforesaid Gazette, which stipulated that “facilities be put in place relating to the conduct of clinical training by the faculty either at its own teaching hospitals or an agreement with any other teaching hospitals” SAIMT applied to the BOI to increase its existing facilities and the Board of Investment of Sri Lanka by Agreement No 876 dated 01/12/2011 and attested by TSU Anthony permitted SAIMT to construct a hospital, which was subsequently registered as a Private Medical Institute by the name of the “Dr Neville Fernando Sri Lanka Russia Friendship

Hospital of South Asian Institute of Technology and Medicine Ltd.”
The said Private Medical Institute functions as a Multi-Disciplinary Hospital in Malabe, Sri Lanka.

- d) By letter dated 16.08.2011 the then Minister for Health Mr. Maithripala Sirisena, approved the construction of this Hospital as a training facility for SAITM medical students to undergo clinical training.
- e) **From or about 03/06/2011, SAITM has invited and included members nominated by the University Grants Commission in its Council, Senate and Admission Panel.**
- f) After a further Institutional Review/ Program Review in terms of section 70C of the Universities Act No: 16 of 1978 and its subsequent amendments, the Minister of Higher Education by Gazette Extraordinary No 1829/36 dated 2013/09/26 amended the aforesaid Gazette Extraordinary No 1721/19 dated 30/08/2011 to include students enrolled prior to the effective date of the first order for the purpose of bringing the said students within the preview of Gazette Extraordinary No 1721/19 subject to the conditions therein.
- g) Subsequent to a further Institutional and subject Review by committees comprising eminent persons appointed by the Secretary of the Ministry of Higher Education (specified authority for non state degree awarding institutes), on their recommendation issued **letters dated 27/08/2014, informing SAITM that all conditions stipulated in Gazette Extraordinary No 1721/19 of 30/08/2011 and Gazette Extraordinary No 1829/36 of 26/09/2013 had been fulfilled within the specified time period.**
- h) As such SAITM had satisfied all requirements and conditions as required by law and is therefore a Degree Awarding Institution having the legal standing to award *inter alia* the MBBS Degree in the field of Medicine.

- i) A comparison of the stringent Procedure adopted by the State to recognize SAIMM as a Degree Awarding Institute, with the procedure adopted to recognize the Medical Degree awarded by the Medical Faculty established at the Kotalawela Defence University, will convince the Panel that the State had been extremely circumspect and taken all precautions to ensure the good quality of the Degree awarded by SAIMM.
- j) At the time SAIMM was awarded its Degree Awarding status in 2011, there was no legal requirement to obtain a Compliance Certificate from SLMC or any specified Professional Body.
- k) Therefore, at present, in terms of section 29(1) of the Medical Ordinance the SLMC, under the said Law is duty bound to register a holder of a Degree Awarding Institute as a Medical Practitioner, if the other criteria specified therein are satisfied.
- l) It is indeed baffling as to how the Panel could cite the statistics referred to in paragraph 1.3, especially as they have not obtained the same or verified the same from SAIMM.

C) Paragraph 1.5 of the JS

SAIMM is shocked and surprised by the Panel's incorrect and completely false statement that the MOU with NNSMA has been terminated before October 2015.

The MOU with NNSMA is very much in existence and has never been terminated by either Party. [SAIMM annexes hereto marked as A1](#), a letter issued by NNSMA confirming that the MOU with NNSMA has been in existence from 21/01/2009 to date. SAIMM is not a branch but affiliated to NNSMA which is still valid.

D) Paragraph 1.8 of the JS

According to the Ministry of Health Report signed on 28 February 2012 (see item 1.11 below) QAAC of UGC has conducted SAITM *Institutional Review*. The review report contained 13 recommendations to be 'duly satisfied' to consider SAITM for provisional recognition in 6 months.

SAITM responded to UGC on the recommendations to be "duly satisfied" after which the Degree awarding status was granted to SAITM in August 2011.

E) Paragraph 1.9 of the JS

SAITM entered into a Memorandum of Understanding dated 27/04/2011 with the Provincial Director of Health Services of the Western Province to provide Clinical, Surgical and other in-house practical training and experience to its students following the MD degree programme after obtaining approval from the Governor of the Western Province by which SAITM was permitted to use the Talangama District Hospital, Homagama and Avissawella Base Hospitals for the aforesaid purposes.

The reason for entering into such an agreement with the Provincial Director of Health Services of the Western Province and seeking the approval of the Governor of the Western Province, was due to the fact that the subject of Health was devolved on the Province under the 13th Amendment to the Constitution and as such, it is the Provincial Health Director who is the relevant authority for the above purposes.

The Panel has concluded that the Memorandum of Understanding dated 27/04/2011 with the Provincial Director of Health Services of the Western Province to provide Clinical, Surgical and other in house practical training and experience to its students to train in Government Hospitals was never implemented.

The Panel had failed to appreciate that SAIMT, in terms of the said MOU, did send their students to the designated hospitals and the students were turned away unlawfully and improperly, by members of the GMOA who threatened to go on strike and other Student Unions, who held protests and refused to permit SAIMT Students to train in the said Hospitals.

When the MOU was signed SAIMT also promised to provide assistance for the maintenance and upkeep of the Avissawella, Homagama and Thalangama hospitals and offered to fund the upgrading of facilities in the said Hospitals, which were assigned to train their students. SAIMT will assist in the upgrade of Hospitals assigned to train their students even in the future.

The SAIMT after undergoing the unfair and discriminatory treatment by the GMOA brought it to the notice of the Supreme Court, by S C Appl. No: 208/2014 and upon a settlement entered before the Supreme Court, the rights of SAIMT students to train in Government Hospitals was secured. The Panel has wrongly assumed that this was “an out of court settlement” when in fact this settlement was entered before the Supreme Court. [A copy of the journal entries in the S C Appl. No: 208/2014 which contain the terms of settlement is annexed herewith marked as A2.](#)

SAITM emphasizes that payment is made by SAIMT to the Government on behalf of each student who is trained in the Government Hospitals. At present, students attend the following Government Hospitals for training:

- Forensic Medicine, clinical and autopsy – at Base Hospital Avissawella
- Field work in Community Medicine– Medical Officer of Health (MOH office) Kaduwela
- Mental Health (including rehabilitation) at Psychiatry unit – Base Hospital Avissawella

F) Paragraph 1.11 of the JS

Although SAIMT admitted two batches of students from or about 2015, both batches of students are for the same Degree Programme and there is only one Academic Programme for the year in respect of the two annual intakes. There are several reasons for having two intakes for this one Academic Programme:

- a) The students from local schools have a different academic cycle to the students of international schools and foreign schools, which necessitates two intakes to be held every year for the same Degree Programme;
- b) The 1st batch of intakes (which are the students from local schools) are provided with the opportunity to participate in the Foundation programme including English Language Course until the 2nd intake (comprising of international school students and foreign students) is finalized, which is of immense academic value to the local students who have to switch from the Sinhala medium to English Medium when following the Degree Programme. Otherwise, students from International Schools who have studied biological sciences in the English Language have a advantage over the students from local schools, as they are more familiar with the English Terms of certain technical and medical terms and their course study is more consistent with the Medical Degree programme.

Furthermore it is a requirement to have the foundation course as a part of curriculum according to the Subject Benchmark statement to facilitate basic sciences, language, and other areas relevant to Medicine.

- c) In terms of the five year financial Plan submitted to the review committee when SAIMT sought Degree Awarding status, it is imperative for SAIMT to continue with two student intakes annually (although it is for the same Degree Programme) to fulfill the financial commitments of the SAIMT in establishing and sustaining the said Faculty and Hospital. [Annexed hereto marked as A3, is a synopsis of the financial obligations of SAIMT and NFTH per year for establishing and sustaining these institutions.](#) SAIMT services

a debt of Rs. 1.8 billion obtained from State Banks at present. If SAIMT desist from continuing with two student intakes per year, this would adversely affect the financial situation and financial viability of the institution.

d) SAIMT further notes that the report of Committee (appointed by the Minister of Health) chaired by Dr. Ravindra Ruberu contained the following positive comments about SAIMT:

“While the work on the completion of the hospital is proceeding it is important for the SAIMT to engage the Ministry of Health closely as the latter will need to play the role of a facilitator by providing access for students to certain facilities required for community medicine (such as MOH division), special campaigns and supra-special units such as cardiac and neurosurgery etc.”

Paragraph 1.20 to 1.22 of the JS

SAITM submitted a comprehensive response to the said SLMC inspection report. It is relevant that the signatories to this report had personal prejudice and/or bias against SAIMT, which was also highlighted in the SAIMT Response. [A copy of the said response is annexed hereto marked as A4.](#) As such this report was an invalid report. SAIMT is confident that a perusal of this response annexed hereto marked as A4, will convince the Panel, that this report is unreliable and unacceptable.

In any event, the adverse comments in the said report related to inadequacy of the required clinical training, which was an issue beyond the control of SAIMT, due to the fact that despite having the opportunity to train in the Government Hospitals, members of the GMOA and State Medical Students were preventing SAIMT students from securing this training, by conducting demonstrations, refusing to train etc. The situation is now improved subsequent to the intervention by the Supreme Court and

SAITM has high expectation of securing further facilities for clinical training of their students and to give exposure in a busy state hospital.

The repeated public notices that are issued by the SLMC which is completely outside their mandate, is also an indication of bias and mala fides towards SAITM.

G) Paragraph 1.24 of the JS

The Supreme Court case was filed as far back as 2014.

H) The comment made by the Panel

At the end of Section I of the JS, the Panel has made the following comment:

“The above sequence of events makes it clear that there were many irregularities, if not outright deception of the public, in the manner in which the SAITM medical degree programme was established.”

SAITM vehemently objects to such pronouncements and categorically denies that there were irregularities in the establishment of SAITM or that there has been any deception of the public.

The sequence of events set out in section 1 of the JS, in fact does not support such a finding, especially of any deception of the public or of any irregularity. SAITM can only presume that the Panel may have been misguided to so presume, due to being misguided on the facts and law. SAITM sincerely anticipates the Panel to treat SAITM justly and observe rules of fair play and revise these incorrect comments.

G) Paragraph 2.1 of the JS

SAITM agrees with the Panel's finding that at present there are no gazette regulations for minimum standards in Medical Education as stipulated in the Medical Ordinance. This factor has been acknowledged by Dr. H H R Samarasinghe in his letter dated 28.05.2009, cited by the Panel in paragraph 1.2 of their JS. Up to date the prescribed standards have not been gazette or passed by Parliament.

It is the position of SAITM that any evaluation must be carried out in accordance with the provisions of the Medical Ordinance and it is essential that a gazette notification be published without delay specifying such minimum standards. These minimum standards should be strictly enforced and equally applicable to both State and Private Medical Faculties including the Kotalawela Defence University Medical Faculty.

H) Comment at the end of paragraph 2.1 of the JS

The Panel has observed that *“refusal to recognize SAITM graduates as suitable for registration by the SLMC is effected under this Section 29(2) for provisional registration prior to internship, and 29(1) for full registration after satisfactory completion of internship”*.

The Panel may take cognizance of the fact that as explained hereinbefore, SAITM has fulfilled the requirements in both section 29(1) and section 29(2) and there is no justifiable reason for the refusal of registration by SLMC.

I) Comment at the end of paragraph 2.2.2 of the JS

The Panel is misdirected in law in concluding that *“There has been no Gazette notification that the conditions stipulated by the Specified Authority in Gazette No: 1721/19 of 2011.08.30 have been fulfilled.”*

It is submitted that there is no legal requirement whatsoever for the publication of such a gazette that the conditions stipulated have been fulfilled. As such, how the Panel can wrongly presume such a requirement, is quite perplexing and reveals that the Panel has been completely misguided on the issue of establishment of SAITM and the law.

Furthermore, the Secretary of the Ministry of Higher Education by letters dated 27/08/2014, have confirmed to SAITM that all conditions stipulated in Gazette Extraordinary No 1721/19 of 30/08/2011 and Gazette Extraordinary No 1829/36 of 26/09/2013 had been fulfilled within the specified time period. [A copy of this letter is annexed herewith marked as A5 & A5 i.](#)

J) Paragraph 2.2.3 of the JS

SAITM was recognized as a Degree Awarding Institution prior to the publication of the said gazette notifications referred to in JS introducing the requirement of a Compliance Certificate. Upon the publication of the gazette notifications specified in the said paragraph 2.2.3, SAITM made every endeavour to ascertain from the Ministry of High Education, the identity of the specified professional body for the purpose of securing the Compliance Certificate. However, the Ministry of Higher Education was unable to identify who the specified professional body should be for the purpose of the Compliance Certificate. [\(A copy of the letter is annexed, marked as A 5 – ii\)](#)

Furthermore SLMC, which is required to function under the provisions of Medical Ordinance (Chapter – 105) is not vested with powers to issue such a 'certificate of compliance'.

SAITM has at all times been eager to secure the Compliance Certificate and will do so no sooner the identity of the specified professional body for the purpose of issuing the compliance certificate, is notified by the Ministry of High Education. Until such time, it is only just and equitable, that SAITM should be afforded the same exemption that is afforded to Kotalawela Defence Academy Medical Degree Programme.

K) Paragraph 2.3 of the JS

The current Medical Service Minute of the Sri Lanka Health Service has been prepared *ultra vires* the Act and is presently challenged before the Supreme Court in case no: S.C. (F/R)321/2014, S.C. (F/R) 323/2014 and S.C. (F/R) 325/2014. Therefore, it is prudent for this issue to be discussed and/or revisited, upon the outcome of the said case. SAITM does not propose to comment on this issue as it is *sub judice*.

L) Section 4 of the JS

The Panel's conclusion in Principle 1, that *the relevant professional body for medical degree programmes is the SLMC*, is incorrect as the SLMC is a statutory Board and is a council established under Medical Ordinance (Chapter 105) and comprising with not only Medical Professionals but also, other professionals such as dentists and Registered Medical Practitioners (R. M.P)

SAITM is in complete agreement with the other Principles professed by the Panel and shall assist the Government to uphold and maintain these Principles.

M) Recommendations

Clause 4.1(a)

SAITM believes that halting the student intake with immediate effect has adverse repercussions and will cause irreparable loss and damage to the Institution, more so as:

- a) It will place in jeopardy the financial obligations of SAITM to its creditors – the Principle creditor being the Government since a loan of 1.8 billion has to be repaid;
- b) The staff salaries have to be made
- c) The hospital has to be funded
- d) Expensive equipment and material for teaching has to be purchased

Furthermore, securing the Compliance Certificate is dependent on the Ministry of Higher Education who must name the specified professional body, empowered to issue such a certificate. If SAITM should halt the admission until the issuance of a compliance certificate, the same recommendation should be enforced and implemented on the Kotalawela Defence Academy who conducts a similar Medical Degree Programme and also to all the other non state degree awarding institutes in the country.

Clause 4.1(b)

SAITM specifically objects to the erroneous presumption of the Panel that the establishment of the Medical Degree programme and admission of new students was accompanied by many serious irregularities. The submissions made hereinbefore in paragraph B of this response, comprehensively disproves such a presumption and such comments in the JS are grossly unfair and unjust by SAITM. It is also significant that the Panel has failed to specify the exact nature of the alleged irregularities. The JS is vague and nebulous on the nature of the alleged irregularities, except on the issue of

the compliance certificate. SAIMT anticipates the Panel to revise their opinion and make an informed decision, adopting principles of fair play and displaying their bona fides.

Although the Panel had referred to and recommended a semi governmental structure, the nature and extent of the proposed semi-governmental structure has not been adequately defined in the JS. Such an arrangement requires precise guidelines and should be executed in a manner which does not infringe or prejudice the rights of the Investor **nor discourage future Investors in private sector education.**

SAITM welcomes the suggestion of the Panel that provision should be kept for the admission of students on scholarship basis or on student loans. SAIMT has already provided Scholarships at a cost of Rs. 500 million upto now.

Clause 4.1(c) and 4.1(d) of the JS

Clause 70 D of the Universities Act has already addressed the recommendations of the Panel specified in clause 4.1(c) of the JS, and is presently observing stringent conditions in relation to the admission of students, the supervision of course of studies, the examination, assessment of the qualifications of teaching staff etc. It is surprising that the Panel had failed to take due cognizance of these provisions of law or make reference to the same in their recommendations. These provisions of law are already in existence and are strictly abided by SAIMT. **[We annex hereto marked as A6, the relevant Provisions of the Universities Act for reference of the Panel.](#)**

Admissions

The Governance Structure already in place under which SAIMT functions, requires the consent of the MOHE (specified Authority) for all admissions of students. The Eligibility Requirements for selection to SAIMT is equal to and in fact above the minimum standards prescribed by the UGC. No Medical student is admitted to SAIMT MBBS programme without the approval of the specified authority. As such whether or not there is majority representation from the state higher education and health sector institutions for admissions of students is of no consequence as the final authority for admissions lies with the specified authority.

Conduct of the degree programme and examinations

At present too, all examination panels of SAIMT consist of External Examiners. The external examination panel for the final year students comprised of eminent professionals from the state medical faculties and consultants who participate in final Examinations of State Medical faculties. In addition the Professors and Senior Lecturers also participated in the Final Examinations.

The Course of studies

The curriculum and the syllabus for the Medical Degree Programme for SAIMT is prepared in accordance with bench mark statement for Medicine published by UGC and monitored and approved by review committee of the UGC.

In all of the above circumstances the recommendations in clause 4.1(c) have already been complied with by SAIMT.

Clause 4.1(e) and (f) of the JS

A proposal initiated by SAIMM for public-private participation in the management of Dr. Neville Fernando Sri Lanka- Russia Friendship Hospital is being negotiated at present with the State.

SAITM is willing to reach a negotiated arrangement on this issue which is beneficial to both parties and which is financially viable to maintain the Hospital to the required standards of a Private Teaching Hospital.

Clause 4.1(g) of the JS

SAITM is agreeable to a visit by the SLMC provided that legally prescribed minimum standards published in accordance with the Law, is utilized to assess SAIMM and the SLMC conducts such inspection observing the Principles of Natural Justice. On the last occasion the SLMC visited SAIMM, no clarifications were sought from SAIMM officials regarding several aspects on which they have commented in their report. The visit by the SLMC consisted of Prof. Rezvie Sheriff, Dr. LBL De Alwis, Prof. Nilanthi De Silva, Prof. Ranil Fernando, Prof. Ranjani Gamage, Prof. Wasantha Gunathunga, Dr. BJC Perera, Prof. K Sivapalan and Dr. HMSSD Herath who were present at SAIMM for three days.

Clause 4.2

- a. In consequence of the settlement before the Supreme Court, referred to further above, students of SAIMM have the benefit of securing clinical training in the following hospitals:
 - Forensic Medicine, clinical and autopsy – at Base Hospital Avissawella
 - Field work in Community Medicine– Medical Officer of Health (MOH office) – Kaduwela
 - Mental Health (including rehabilitation) at Psychiatry unit – Base Hospital Avissawella

- b. SAIMM is most agreeable to provide further intensive clinical training for their students if access is permitted to more State Hospitals. SAIMM duly notes access to State Hospitals are subject to payment and SAIMM has duly paid for such access and training and will continue to do so in the future.
- c. SAIMM is agreeable to permit their students to sit any Examination stipulated by the Specified Authority and are confident that their students will perform exceptionally well considering the high quality of the course of study conducted by SAIMM.
- d. The present Medical Service Minute is ultra vires the Act and is subject to litigation. Therefore, no conditions should be imposed based on this Medical Service Minute for the present.

Clause 4.3 of the JS

It is indeed unfathomable how a Compliance Certificate could be granted to a private higher education institute before granting Degree Awarding Status, as suggested by the Panel. It is not practical for a Compliance Certificate to be issued to a Degree Awarding Institution prior to Degree Awarding Status.

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Chairman
SAITM

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Vice Chancellor - SAIMM