



Mohammed Forrukh Rahman

Head of Chambers

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Mr. Mohammed Forrukh Rahman, LLB (Lond), is a Barrister of Hon'ble Society of Lincoln's Inn, London and Advocate, Supreme Court of Bangladesh. He was called to the Bar by Hon'ble Society of Lincoln's Inn in 2003 after successful completion of Bar Vocation Course from the College of Law, (now the University of Law) Bloomsbury, London.

Mr. Rahman completed his internship from reputed Lee, Khan and Partners (now dissolved) in 2004 on banking and corporate law and pupillage on banking, commercial and corporate Litigation with Mr. Ajmalul Hossain QC. He worked for A Hossain & Associates, Dhaka office under Mr. Hossain QC for nearly 4 years as an associate. In 2006 he joined his family law practice, originally commenced by his grandfather in 1920s followed by his father, under a new name and title of Rahman's Chambers.

He has altogether 15 years' background of working in the field of corporate & finance, shipping and dispute resolution. For the last 12 years, he leads the firm, Rahman's Chambers, which has its own independent standing and now a leading law firm in the field of Corporate & Finance and Shipping. Mr. Rahman is one of the leading practitioners in Bangladesh, ranked by Chambers Global and Chambers Asia Pacific in the field of Corporate, finance, Shipping, dispute resolution and international works involving both for contentions and non-contentious matters.

International

Mr. Rahman is the head of the International Department. In 2018, Mr. Rahman is appointed as a panel arbitrator of **SAARC Arbitration Council (SARCO)** upon nomination from the Government of Bangladesh and BIAC. Mr. Rahman is a **Fellow of Hong Kong Institute of Arbitrators (FHKI Arb)**, Member of Singapore Institute of arbitrators (MSI Arb) and a CEDR (UK) Accredited Mediator. Mr. Rahman has been involved in a number of international arbitrations, cross border shipping and commercial litigation involving private international law issues. He advised clients over cross border shipping issued involving India, Pakistan and Bangladesh. Several inbound (Bangladesh) cross border litigation e.g. insolvency, acquisition etc and also issues involving International law such as taxation, investment, etc were handled by him. Starting with the most recent, notable works of Mr. Rahman are as follows:

Contentious

International Arbitration

- In 2018 advised Bunge S. A., Switzerland involving claim for hire by disponent owner in relation to cargo discharged in Bangladesh on different aspect of applicability of local arbitration laws in an international arbitration pending in LMAA.
- In 2018 advised MAN Industries (India) Ltd. of India involving disputes over issuance and acceptable of notification of award in an international tender for supply of steel leading to Singapore International Arbitration Center (SIAC).
- Successfully assisted Komrowski Maritim GMBH on several aspect of international arbitration pending before LMAA and GMAA in a dispute involving shipbuilding contract between Ananda Shipyard and Slipways Ltd vs. Komrowski Maritim GMBH, Germany
- Advised enforcement issues between Smith Co-generation (BD) Ltd. vs. BPDB and GOB

Litigation

- Represented UK P&I Club and the owner of M.V. SUPRAMAX VIVI in a collusion matter which took place in Bangladesh but the Parties chose Singapore as a forum and decided not to appear before Bangladesh Courts. As Bangladesh counsel we worked together with HFW, an international law firm and were actively involved in advising, drafting petition based on **private international law** principles challenging the jurisdiction of Singapore.



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Non contentious

- As a lead counsel, successfully advised and assisted Oriental Container Line regarding the takeover of the company by another OOCL entity; a **Hong Kong-based** company as a part of a global takeover.
- Advised A.P. Moller Maersk Line head office over issues involving **shipment** and foreign exchange control regulation, effective cargo discharge regulation. This assisted in framing new policy affecting **Bangladesh, India, Pakistan** and the countries who have similar FOREX regulation.



Corporate & Finance

Out of the four departments i.e. Corporate, Construction, Investment and Finance which can be broadly classified as Corporate and Finance, Mr. Rahman is the head of three departments namely **Corporate, Construction, Investment**. Mr. Rahman completed his PGCertLaw(Corporate & Commercial) from University of London. He was a full-time Legal Consultant, Power Cell, Power Division, Ministry of Power, Energy and Mineral Resources, Dhaka (2007-2008) and a member of Legal Counsel, Central Bank Strengthening Project, Bangladesh Bank for A Hossain & Associates(2004-2006). Mr. Rahman handled several major corporate transactions such as acquisition of shares and also land. He advised G2G, PPP and non-PPP projects involving power, energy and other infrastructure, EPC and O & M contractors. As a team leader he has been involved in several investment deals. Starting with the most recent, notable works of Mr. Rahman are as follows:



Mohammed Forrukh Rahman

he is a knowledgeable and very co-operative person. I have discussed many issues with him and he gives me the right suggestions.

– **Ranked (Band II)** for Corporate and Finance by Chambers & Partners 2019.

Contentious

Litigation

- Successfully conducted hearing of writ petition involving gas line connection related disputes **through dedicated line 150 psi 12- inch gas line for TM Textiles and Garments Ltd** reported in [6 CLR \(HCD\) \(2018\) 65,70 DLR \(2018\) 409](#).
- Winding up of United Airways (BD) LTD, on behalf of major Canadian engine supplier in an attempt to recover leased engine and outstanding rental and MI Industries (India) Pvt. LTD over bankruptcy matter.
- Successfully conducted hearing of Income Tax reference disputes between Grameen Danone Foods Ltd vs Commissioner of Taxes reported in [6 CLR \(HCD\) \(2018\) 25](#).
- Appeared for central bank from 2008 till 2015 on various complex banking litigation issues and also acted as counsel over various major complex banking litigation involving a local and cross-border transaction.
- Conducted hearing of writ petition involving CIB Report of Nominee Director and Share Transfer: M. Akbar and Another vs Bangladesh reported in [70 DLR\(2018\) 52, 5 CLR\(HCD\)\(2017\) 307& 23 BLC\(2018\) 126](#)

[“He is active across a range of contentious shipping work, including advising on collision claims.”](#)

– **Chambers and Partners 2019**

[We can therefore highly recommend the legal services of Mr. Rahman to any party, which needs legal support in Bangladesh in matters relating to international trade, financing and transport.](#)

**-Dr. Klaus Kostka, Partner,
Fleet Hamburg LLP, Germany**

- Successfully conducted hearing of writ petition involving Organizational Restructure in Md. Shamsuddin and 256 others vs Bangladesh reported in [2 CLR \(HCD\) 523](#)

Arbitration

- Successfully conducted hearing of Arbitration application involving BPDB vs. Summit Industrial reported in [19 BLC\(2014\)284](#); [2 CLR\(HCD\) \(2014\)73](#),
- Successfully conducted hearing involving VAT related ADR between Grameen Danone Foods Ltd vs. Customs, Excise and VAT Authorities (ADR from Appellate Tribunal).

Non contentious

- As a team leader assisted in **one stop business setup service** providing to Surjin Tech Co., Ltd. Client initially instructed to conduct **due diligence** on a comparison of the available incentive of setting up business in EPZ, SEZ, Hi-Tech or other geographically located areas in different divisions of Bangladesh. The client also conducted due diligence on different incentive available for different business sectors, e.g., Industrial, IT, Infrastructure, etc. Finally, we assisted the client in business setup process and **acquisition of land**.
- Acted as a **lead counsel** for Unitex LP Gas Limited involving **design, supply of equipment, project management, supervision, erection** and commissioning of liquefied petroleum gas (**LPG**) terminal plant and bottling facilities at Chittagong. We advised clients from the **very inception** of the project starting with **project due diligence, framework agreement, EPC** and other related **contract** drafting.
- Advised different companies at different stages of the project starting from due diligence of land, taxation and company matter leading to bidding, unsolicited proposal, negotiation of contract based on PPP model or not for China Petroleum Pipeline Construction Bureau (CPP) in a deep sea pipeline construction project, Union Resources on 1320 MW coal-fired Power plant project and NTPC on a major 1320(2 x 660) MW coal-fired power project on **PPP** basis at Rampal. He also advised EPC contractor notably **NEPC** in recent years on several issues.

[We were impressed with the expertise and knowledge of Mr. Mohammed Forrukh Rahman in particular with international arbitration on maritime matters.](#)

Brigitte Rosenberg

Project Manager

Komrowski Maritim GmbH

[Mr. Mohammed Forrukh Rahman is a pleasure to work with as he is highly competent and knows the intricacies of the matter on hand. His fast and clear responses to our queries, even on unholy hours, assure us that our claim is being handled with such meticulousness that bridge the gap between the continents..](#)

RHOUAN S. LOSERIAGA

Legaspi Village, Makati City,
Philippines

- Takeover of an OOCL company as part of a global takeover, Corporate reorganization of a major leather company and a major foreign investment company in garments and textiles sector among its shareholders.
- Was involved in a number of major syndications, project finance transactions for City Bank Ltd and drafting of several laws, circulars, regulation and guidelines for Central bank.
- Advised Power Cell over procurement matters, drafting PPA, LLA, IA etc. for small IPP, IPP and rental projects while he was acting as a Legal Consultant on a fulltime basis for Power Cell, Power Division from 2007 to 2008.
- Drafting the very first **PPP** guideline for Power generation projects for the Power Division, Ministry of Power, Energy and Mineral Resources of Bangladesh and also

Shipping

Out of our two departments i.e. Shipping and Commercial which can be broadly classified as Shipping, Mr. Rahman is the head of Shipping Department. Mr. Rahman completed his PGDipLaw(Maritime) from University of London. As a counsel, he appeared before Admiralty Court of High Court Division in several shipping matters e.g. collision, bunker claim, mortgage claim, ownership disputes, charter-party disputes etc. He was the lead counsel in the ground breaking case namely Freight Management and 16 others vs. Bangladesh Bank involving legality of House Bill of Lading. Starting with the most recent, notable works of Mr. Rahman are as follows:

Contentious

- Successfully argued in the matter of **documentary fraud** on behalf of importer 'Saturn Textiles Ltd.' involving the supply of defective fabrics, raw material of RMG, by filing suit in lower court and also higher court and were able to obtain an injunction on payment under Letter of Credit on the ground of fraud in 2013.
- Successfully represented Hossain Dyeing and Printing Mills Limited, a concern of Anwar Group of Industries in the recovery of the claim for delivery of fabrics under sales contract where payment has been illegally refused by LC opening Bank and later by the buyer under the sales contract. Recently, the Hon'ble Court passed judgment and Order in favour of our client **decreasing monetary payment against the buyer** after years of battle in Court.
- Successfully argued in the landmark decision given in the matter of Ship Finance and Jurisdiction of Admiralty court between First Security Islami Bank Ltd vs MV Javed and others reported in [69 DLR \(2017\) 408](#)
- Successfully argued in the matter of Freight and Charges involving Maersk Bangladesh Limited vs Bangladesh reported in [4CLC\(HCD\)79](#).
- Successfully argued in the matter of LC Fraud (Hallmark case) Alvi Spinning Mills Ltd and others vs Govt. of Bangladesh reported in [19 MLR\(HCD\)277](#).
- Successfully argued in the **landmark case** between Freight Management and 16 others vs. Bangladesh Bank reported in **2 CLR (HCD) 586; 19 MLR (HCD)336** involving the legality of House Bill of Lading/Receive for shipment of Bill of Lading [2 CLR \(HCD\) 586; 19 MLR \(HCD\)336](#),
- Successfully argued Admiralty and Maritime claim involving Marodi Services vs MV Swift Cro. Reported in 2 CLR(HCD) (2014) 456,

Non contentious

- Advised Maersk Bangladesh Limited and also **A.P. Moller –Maersk, Denmark** by preparing templates for **Letter of indemnity** suitable for Bangladesh and also other jurisdiction, for example, India, Pakistan where there exists foreign exchange control regulation.
- Conducted **due diligence over customs duties** etc. on specific products for VVD, India and Godrej, India.
- We have advised G.A.B Limited, a concern of Gildan Active-wear Bangladesh and a Multi-National Company on different custom formalities involving **bonded warehouse matters** allowing **exemption from import duty** for 100% export oriented import and extension of a bonded area in different locations.

Dispute Resolution

Mr. Rahman is the head of Dispute Resolution Department. He argued as a lead counsel for last 10 years for different clients in a number of cases involving different issues e.g. natural justice, white collar crime, debt recovery, insurance, credit information, tenancy, labour and employment etc in different forum including High court, judges court, Arbitral Tribunals and Other Tribunals. Out of the total number of cases where he appeared, at least, two dozens of cases have found its place in the [leading law reports](#) of Bangladesh. Starting with the most recent, notable works of Mr. Rahman are as follows:

Litigation

- In a sensational matter, widely covered in news media, involving eviction of property located in a prime location of Dhaka between Moosa Bin Shamsheer vs. Ayub Ali & Others reported in 2 LNJ (2013) 18 etc., Mr. Rahman successfully argued before Hon'ble court and finally were able to assist client in recovering its possession.
- Appeared for central bank in the judicial review filed against owners of "Rana Plaza" and few public authorities for compensation involving the tragic death of 1000+ people due to collapse of the defective building
- Successfully argued in Cheque Dishonour matter between Hasan Ali vs The State and Another reported in [4CLC\(HCD\)17](#)
- Successfully argued in the matter of Natural justice between Amjad Hossain vs. Bangladesh Bank reported in [17 BLC \(HC\) 188](#);
- Successfully argued in the matter of Insurance Claim between Abdul Jalil vs Artha Rin Adalat reported in [67 DLR 475](#).

Alternative Dispute resolution

- Appeared as a counsel in a power plant related arbitration between Summit Power Limited vs. BPDB
- Appeared as a counsel in a power plant related arbitration between Quantum Power vs BPDB
- Appeared as a counsel in an IT related negotiation between Infotech Pte Ltd vs Bangladesh Bank
- Appeared as a counsel in a banking related arbitration between IDCOL and several other borrowers.

Membership

- Member, International Bar Association
- Member, Bangladesh Supreme Court Bar Association
- Member, Dhaka Bar Association
- Member, Barristers' Association of Bangladesh

Position Held (Past/Present)

- Member, Election Appellate Board, Leather-goods Footwear & Manufacturer's Association of Bangladesh
- Member, Election Appellate Board, Bangladesh German Chamber of Commerce and Industry (BGCCI)
- Chairman, Election Appellate Board, Leather-goods Footwear & Manufacturer's Association of Bangladesh
- Legal Adviser, Primary Dealers of Bangladesh Limited
- Retainer, Data Path Ltd
- Retainer, Saturn Textiles Ltd.
- Retainer, UAE-Bangladesh Investment Company Ltd. (UBICO)
- Panel lawyer, several banks and financial institutions and others.
- Regional contributor, World Bank Group, various project

Involvement with Legislation/Guideline Drafting

- Bangladesh Bank Order (amendment) 2009, Bank Company Ain (amendment) Draft 2009, Financial Institutions Act (Draft) (amendment) 2009 and its translation.
- Money Laundering and Terrorist Finance Act (Draft)
- secured Transaction Act (Draft)
- Guideline on Islamic Banking
- Guideline on Debt and Equity Participation
- Guideline on Public Private Partnership (power sector)

Publications

- ["Crisis time drafting of commercial contracts"](#) titled Article was published in The Daily Star.
- "Judicial Intervention in Administrative Action: Bangladesh Bank Perspective" titled Article was published in The Daily Star.
- ["Preventing money laundering What should be the mechanism?"](#) titled Article was published in The Daily Star.
- ["Common International Trade Disputes in Bangladesh"](#) titled Article was published in the BIAC Fifth Anniversary Souvenir.
- ["Construction and Engineering Related disputes in Bangladesh"](#) titled Article was published in the BIAC Quarterly Bulletin 2017.
- ["Power Sector Related Arbitration in Bangladesh"](#) titled Article was published in the BIAC's 6th Anniversary Souvenir.

Education

- Postgraduate Diploma in Laws on Maritime law (Merit), University of London, UK (2018)
- Postgraduate Certificate in Laws on Corporate and Commercial law, University of London, UK (2017)
- Bar Vocation Course, the College of Law, London, UK
- Bachelor of Laws (Hons), University of London, UK(2002)
- Higher Secondary Certificate (HSC), Dhaka College, Dhaka.
- Secondary School Certificate (SSC), Dhaka Residential Model College, Dhaka.

Legal Qualifications

- Barrister-at-Law of Lincoln's Inn, London (2003)
- Advocate, Supreme Court of Bangladesh
- Panel Arbitrator, SAARC Arbitration Council (SARCO)
- Fellow, Hong Kong Institute of Arbitrators (FHKI Arb)
- Member, Singapore Institute of Arbitrators, Singapore (SI Arb)
- Associate Member, Chartered Institute of Arbitrators, London (ACI Arb)
- Panel Mediator, Bangladesh International Arbitration Centre (BIAC)
- CEDR Accredited Mediator, London, UK

Awards & Recognition

- Ranked Lawyer (Band II) by Chambers & Partners -2019 for corporate and finance
- Recognized practitioner by Chambers & Partners -2018 for Corporate & Finance
- Recommended Lawyer by Legal500 -2018
- Recognised Practitioner by Chambers & Partners -2017 for Corporate & Finance
- Recommended by Seapower Shipping for maritime claims.
- Recommended by Komrowski Maritim for international arbitration.
- Recommended by Feet Hamburg for International Trade

Languages

- Bengali
- English
- Hindi