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**Islamic Emirate of Afghanistan
Supreme Court
Judicial Deputy
Correspondence Department
Circulars' Section**

Date: June 28, 2022 - 29/11/1443

Principles for Distributing Duplicate Documents

1. The duplicate deed shall be provided to the individual named on it, or to a legal heir or a person with power of attorney for the named individual, provided that the deed serves a material interest (proof of ownership) or moral interest (proof of lineage) for them.
2. To obtain a duplicate document, the applicant must first submit a petition to the chief judge of the appellate court, who will then direct them to the document storage facility.
3. The applicant must state the reason for requesting a duplicate document in the petition.
4. After the head of document storage issues instructions, the petition will be sent to the storage facility to locate the original deed. Once it is found and verified, the head of storage will be informed.
5. Subsequently, the head of document storage, the Mufti, and the professional clerk will verify the deed's authenticity and accuracy.
6. Indications of a deed's inaccuracy or falsification include:
 - a. The absence of a preserved record despite the existence of a record book from the same time period.
 - b. Discrepancies between the deed and its registration.
 - c. Obvious differences between the images of the seller or buyer and the actual individuals, which cannot be attributed to personal choice.
 - d. A deed that relies on the confession or acquittal of someone whose appearance casts doubt on their confession or acquittal, or if the acquittal is habitually or logically implausible.
 - e. A mismatch between the deed's serial number and the number mentioned in the registry.
 - f. The deed's paper and writing differ from other deeds, and a sheet has been removed from the original copy and replaced with a different sheet.
 - g. The deed lacks a witness verifier, and the seller and buyer are not sufficiently well-known to obviate the need for one.

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7. If the deed is determined to be genuine, it will be forwarded to the Correspondence Section for the preparation of a duplicate copy. The applicant must pay the associated fee.
8. The officer responsible for distributing duplicates will record the document in the registry book and send it to storage for scanning and printing.
9. The duplicate document will be marked as a copy of the original when provided to the applicant.
10. Upon completion of the above steps, the duplicate deed will be signed and stamped by the head of storage, the Mufti, and the judicial clerk.
11. The signed deed will be handed over to the applicant.
12. If an organization (government or non-government) requests a duplicate deed for property attributed to it, the duplicate will only be given to an individual with an official letter from the organization.
13. If record verification is necessary, the head of storage, the Mufti, and the clerk will conduct it together.
14. Confidential record information may only be requested through the courts.
15. The duplicate document will include the date, general and specific serial numbers, as well as the applicant's details, address, and Tazkira number.
16. Duplicate documents will be printed on durable, high-quality, encrypted paper to prevent forgery.

Mufti Hezbullah "Ibrahimi"
Department of Scrutiny and Studies
Supreme Court
[Signed]

Mufti Abdul Rasheed "Saeed"
General Director of Secretariate
Supreme Court
[Signed]

Mufti Mohammad Hussain
Member of Civil Division
Supreme Court
[Signed]

Habiburrahman "Quraishi"
Member of Storage Department
of Kabul Province
[Signed]

Qazi Mudassir
Member of the Judicial
Education Department
Supreme Court
[Signed]

Sheikh Mohammad Qasim "Rasikh"
Judicial Deputy
Supreme Court
[Signed]

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Islamic Emirate of Afghanistan
Supreme Court
General Directorate of Secretariate
Correspondence Department
Circulars' Section

Circular No. 1

Date: August 6, 2022 - 09/01/1444

To: The Officials of Cassations, Divisions, Appellate, and Primary Courts of the Islamic Emirate of Afghanistan!

Allah's mercy, blessings, and peace be upon you!

On February 17, 2022, the High Council of the Supreme Court guided: (The General Directorate of Secretariate shall request written information from the Kabul Appellate Court regarding the former distribution method of duplicate documents to determine what principles are enforceable and what shall be removed. Later, we will determine the principles and method of distribution of duplicate documents.). Based on the instruction, information was requested from the Kabul Appellate Court. The court sent the information through a letter, which was shared and discussed with the High Council in the meeting dated May 19, 2022, and the High Council provided instructions based on Approval No. (52) as follows:

((On the coming Sunday dated, May 22, 2022, *Sheikh* Mohammad Qasim, *Sheikh* Abdul Malik, *Sheikh* Mohammad Sharif, and *Mufti* Abdul Rashid Saeed shall visit the Kabul Appellate Court first and then the documents' storage to thoroughly investigate this issue and gather detailed information regarding the distribution of duplicate document and note it down. Later, it shall be discussed in the High Council meeting.))

According to the above guidance, the delegation mentioned above visited the Kabul Appellate Court and then the documents' storage and obtained written and oral detailed information. The issue was discussed in the High Council meeting dated May 30, 2022, and the High Council gave instructions based on Approval No. (56) as follows:

((*Sheikh* Mohammad Qasim shall submit the Regulation on Obtaining Duplicate Documents – the judicial deputy of the Supreme Court as the team leader, *Mufti* Hezbollah "Ibrahimi," *Qazi* Mudassir, a member of the judicial education department, a person from the civil division of the Supreme Court, *Mufti* Abdul Rashid "Saeed," and Habiburrahman "Quraishi," the head of documents' storage of the Kabul Appellate Court.))

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Per the above guidelines and instructions, the High Council of the Supreme Court has drafted the Regulation on Obtaining Duplicate Documents in (16) articles and discussed it in the High Council meeting dated June 28, 2022. The High Council provided instructions through Approval No. (59) dated June 28, 2022, as follows:

((The Regulation on Obtaining Duplicate Documents has been approved in (16) articles, and the General Directorate of Secretariate shall convey it to all the courts as a circular.))

Therefore, the Regulation on Obtaining Duplicate Documents, approved based on the above Approval of the High Council, has been conveyed to the cassations, divisions, and appellate and primary courts of the Islamic Emirate of Afghanistan in two copies attached to this circular. So, please proceed with it per the rules and regulations.

Respectfully,

Mufti Abdul Rashid "Saeed"
General Director of the Secretariat
Supreme Court

[Signed and Stamped]