



Blessings of Zakah

"A beautiful bouquet containing the laws and virtues of
Zakah, Sadaqa-tul-Fitr and Ushr"



Presented by
Majlis Al-Madina-tul-'Ilmiyyah

Translated into English by
Majlis-e-Tarajim (Dawat-e-Islami)

فَيضَانِ زَكْوَة

Blessings of
Zakah

Presented in Urdu by
Majlis Al-Madina-tul-'Ilmiyyah (Dawat-e-Islami)

Translated into English by
Majlis-e-Tarajim
(The Translation Department of Dawat-e-Islami)

Blessings of Zakah

An English translation of 'Faizan-e-Zakat'

All Rights Reserved

Copyright © 2019 Maktaba-tul-Madinah

No part of this publication may be reproduced, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of Maktaba-tul-Madinah.

Edition:	First
1 st Publication:	Sha'ban-ul-Mu'azzam, 1440 AH (April, 2019)
Presented by:	Majlis Al-Madina-tul-'Ilmiyyah
Translated by:	Translation Department of Dawat-e-Islami
Publisher:	Maktaba-tul-Madinah
Quantity:	5000
ISBN:	000-000-000-000-0



SPONSORSHIP

Please feel free to contact us if you wish to sponsor the printing of a religious book or booklet for the Isal-e-Sawab of your deceased family members.

Maktaba-tul-Madinah

Aalami Madani Markaz, Faizan-e-Madinah Mahallah Saudagran,
Purani Sabzi Mandi, Bab-ul-Madinah, Karachi, Pakistan

Email: global@maktabatulmadinah.com | feedback@maktabatulmadinah.com

Phone: +92-21-34921389-93

Web: www.dawateislami.net | www.maktabatulmadinah.com

Table of Contents

11 Intentions for Reading this Book	xv
Du'a for Reading the Book	xvi
Al-Madina-tul-'Ilmiyah	xvii
Learn the laws of Zakah	xix
Translator's Notes	xxii
Blessings of Zakah.....	1
Excellence of blessed Durood	1
A basic pillar of Islam.....	1
Zakah is Fard.....	2
3 Narrations regarding Zakah being Fard.....	3
When did Zakah become Fard?.....	5
What is the ruling on denying Zakah to be a Fard act?.....	5
16 Virtues and benefits of paying Zakah	6
1. Means of completion of Iman	6
2. Mercy of Allah descends.....	6
3. Attaining Taqwa [piety] and asceticism	6
4. Way of success	7
5. He who deserves the help of Allah	7
6. He who belongs to the category of good people.....	7
7. Sawab of infusing happiness into the hearts of the Islamic brothers.....	8
8. An excellent expression of Islamic brotherhood	8
9. Manifestation of the saying of Rasoolullah ﷺ	9
10. Wealth becomes pure	9
11. Getting rid of negative attributes	9
12. Blessing in wealth.....	9
13. Protection from evil	11
14. Source of protection of wealth.....	11

15. Allah will fulfil the needs	11
16. The poor make Du'a	12
8 Points stating the harm of not giving Zakah	12
Details of punishments.....	16
The definition of Zakah	17
Why 'Zakah' is called Zakah?	18
Types of Zakah	18
On whom is Zakah Fard?	19
Details of conditions.....	19
The owner of Nisab.....	19
The ruling on giving Zakah before becoming the owner of Nisab	20
The Zakah on Haraam wealth	20
The method of getting rid of Haraam wealth.....	20
The meaning of Maal-e-Naami.....	21
What is Haajat-e-Asliyyah?	21
When will a year complete [for Zakah]?.....	22
Will lunar months be taken into account or calendar months?	23
Decrease in Nisab during the year.....	23
Increase in Nisab during the year.....	23
The loss of Nisab during the year.....	24
Zakah in the state of Kufr.....	25
Zakah on a Na-Baaligh and insane person	25
Beginning of the 'year of Zakah' for an insane person	25
The wealth for which Zakah becomes Fard.....	26
The Nisab for gold and silver.....	26
What amount of Zakah will be given?	26
The ruling on the wealth which is more than the Nisab.....	27
Zakah for the wealth which is more than the Nisab and the one-fifth part....	27
Different types of wealth of the same category and the calculation of Zakah.....	28
First possibility	29

Second possibility.....	29
Third possibility.....	29
The Nisab of gold is complete and that of silver is incomplete.....	30
The price of gold and silver as Zakah	30
The definition of price	30
Which price will be considered?	31
Which area will be considered for the price?.....	31
Which day will be considered for the price?.....	31
Method for calculating the Zakah of gold and silver	31
The ruling on impurity	33
Zakah of jewellery	33
Bangles of fire	34
The Zakah of gold and silver jewellery and crockery.....	34
The use of gold and silver crockery.....	34
Zakah of dowry.....	35
The Zakah of wife's jewellery	35
If the husband explains but the wife does not still give Zakah!.....	35
The Zakah of mortgaged jewellery	36
What if the husband has mortgaged the wife's jewellery?	36
Method of paying the Zakah of jewellery for the previous years.....	36
Is Zakah Wajib upon the person who uses gold impermissibly?	37
Zakah for diamonds and pearls	38
Zakah for gold or silver embroidery	38
The Zakah of the money saved for Hajj	38
Trade goods and their Zakah	38
Which goods are known as trade goods?	38
Trade goods left as estate	39
The Nisab of trade goods	39
The Zakah of trade goods.....	39
The Zakah of the profit earned from trade goods	39

The calculation of the Zakah of trade goods	40
The price at the time of purchase or completion of the year	40
The method of paying Zakah for a wholesaler.....	40
The goods purchased on credit	40
Will the wholesale price be considered or the retail price?.....	41
The method of calculation	41
Will Zakah have to be given every year?	41
Change of intention after purchase	42
The Zakah of a shop.....	42
The Zakah of a deposit	42
The Zakah of the ‘soap of a launderer’ and ‘dye of a dyer’	42
The Zakah of the bottles of a perfumer [‘Itr seller]	43
Zakah upon a Roti seller.....	43
The Zakah of books.....	43
The Zakah of rental property.....	44
The Zakah of rental cars and buses	44
The Zakah of household items.....	44
The Zakah of decorative items	44
The Zakah of the money paid as Bay’ anah.....	45
The Zakah of a purchased item before taking possession of it.....	45
The Zakah of currency notes	46
The Nisab of currency notes	46
The calculation of the ‘Zakah of currency notes’	46
A table for the ‘Zakah of currency notes’	46
The Zakah of the money saved for the daughters’ marriage.....	46
The Zakah of the money placed in trust	47
The Zakah for insurance premiums	47
The Zakah of the amount of money paid for Hajj.....	47
The Zakah for provident funds	48
The Zakah of the bonuses received by employees.....	48
The Zakah of the amount of money deposited in the bank	48

The Zakah of ‘the amount of a committee’	49
The method of calculation	50
Debt and Zakah	50
Zakah on Madyoon.....	50
Zakah on the guarantor for a Madyoon.....	51
Does every type of Dayn serves as an obstacle for Zakah to become Wajib?	52
Becoming a debtor after the completion of the year	52
Mahr and Zakah	52
The Zakah of Mahr on a woman.....	53
The Zakah on the wife of a debtor	53
The ruling on Dayn (debt)	53
1. Dayn-e-Qawee	53
2. Dayn-e-Mutawassit	54
3. Dayn-e-Da’eef [دَيْنٌ ضَعِيفٌ]	54
No hope of receiving back the amount of Dayn	55
The ruling on the reduction in Maal after Zakah has become Wajib	55
1. Istihlaak [إِسْتِهْلَاكٌ]	55
2. Tasadduq [تَصَدَّقٌ]	56
3. Halaak [هَلَآكٌ]	56
Masarif-e-Zakah	57
To whom can Zakah be given?	57
Their details	57
How can the person deserving of Zakah be identified?.....	59
What if it is discovered after paying the Zakah that the payee was not deserving of Zakah?	60
Do the Safeers of Madrasahs also fall into the category of ‘Aamil?	60
People to whom Zakah cannot be given	61
Relatives to whom Zakah can be given	61
The slaves to whom Zakah cannot be given.....	62
Slaves to whom Zakah can be given.....	62

Giving Zakah to one's divorced wife.....	63
Giving Zakah to the wife or father of a Ghani person	63
Na-Baaligh children of a Ghani mother	63
The woman whose husband owes her Mahr.....	63
Giving Zakah to a Kafir.....	63
Giving Zakah to a heretic	64
Giving Zakah to a student	64
Giving Zakah to the Imam of a Masjid	64
The payment of salary to the Imam of a Masjid from the amount of Zakah.....	65
Mother is Hashimi and father, a non-Hashimi.....	65
Why the Zakah cannot be given to the blessed Sayyids?	65
Who are the Banu Hashim?.....	66
Wisdom behind not giving Zakah to the Banu Hashim	66
The way to help Sayyids	67
Giving Zakah to beggars.....	67
Giving Zakah for a Madrasah or Jami'ah	68
Do inform while giving Zakah.....	69
Giving the total amount of Zakah to a single person.....	69
What amount of Zakah is it Mustahab to give to one person?.....	70
To whom is it Afdal to give Zakah?	70
To whom should a Sayyid give Zakah?	70
Can the owner of many books take Zakah?.....	71
What if a Ghani person takes Zakah?.....	72
The person who owns 6 Tolas of gold!.....	72
Having possessions more than Haajat-e-Asliyyah	73
Woman who owns a huge amount of dowry!.....	73
Someone who owns pearls and jewels.....	73
Someone who owns expensive winter clothes!	74
Person who owns a very large house!.....	74
The person who has a garden in his house!.....	74

Is it permissible for a wealthy person to take Sadaqah?	74
What if a non-deserving person takes Zakah?	75
The payment of Zakah	75
Conditions of the payment of Zakah	75
Forgetting to make intention while giving Zakah	76
The words of Zakah	76
Delaying the payment of Zakah	77
Should Zakah be given at one go or little by little?.....	77
Give Zakah at one go	77
The intention may have changed!.....	77
Will the responsibility be fulfilled by separating the amount of Zakah?...78	
Giving Zakah in Ramadan-ul-Mubarak.....	78
Openly or secretly	79
Expressing favour after giving Zakah	79
Making the intention of Zakah after giving charity for the whole year79	
What if someone dies before giving Zakah?	80
Is it necessary that the Zakah-receiving person knows about it?.....	80
Knowing the amount of Zakah for the validity of its payment	80
Giving Zakah as loan.....	80
Giving Zakah to a small child.....	81
Remitting a house rent with the intention of Zakah	81
Forgiving debt.....	82
Including a forgiven debt for Zakah	82
Paying someone's debt as Zakah.....	82
Ruling on giving clothes to orphans	83
Purchasing books from the amount of Zakah	83
What if religious books are got printed with the amount of Zakah and distributed?.....	83
Keeping the amount of Zakah in a box of sweets	83
Impermissible Heelah of taking the amount of Zakah back	84
Paying the fees of a lawyer	84

Giving Zakah as a gift.....	84
Purchasing grain with the amount of Zakah and distributing it.....	84
What if a person sells grain at a discounted price to the needy and makes the intention of Zakah?	85
Being doubtful about paying Zakah.....	85
Giving less amount of Zakah unknowingly	86
Making a Wakeel for paying Zakah	86
Should the Wakeel know about Zakah?	86
Should the Wakeel also make the intention of Zakah?	87
Making the intention of Zakah after making a Wakeel for Nafil Sadaqah ..	87
Mixing the amount of Zakah of different people.....	87
Can the Wakeel make someone else a Wakeel?.....	87
Can the Wakeel give Zakah to anyone?	87
Can the Wakeel keep the amount of Zakah himself?	88
Paying Zakah in advance	88
The method of making calculation in advance	89
What should be done if the Zakah given in advance is more than the actual amount?.....	89
What if the person to whom Zakah was given in advance becomes wealthy!.....	89
What if the Nisab no longer exists upon the completion of the year?.....	90
The payment of Zakah from the wealth of the Zakah-giving person.....	90
The ruling on giving someone's Zakah from his wealth without permission	90
What if someone passes away without paying Zakah?	90
Giving Zakah conditionally	91
What if someone invests the amount of Zakah in trade and distributes its profit amongst the poor?	91
Waqf from the amount of Zakah	92
Sending Zakah outside the city	92
Deduction of Zakah by the bank	92

Shar'i Heelah.....	93
When did the tradition of ear piercing start?.....	94
A gift of cow meat.....	94
Shar'i Heelah of Zakah.....	95
The method of Shar'i Heelah.....	95
100 People earn equal Sawab.....	96
Don't keep it with you!.....	97
What if a Shar'i Faqeer does not return Zakah after taking it?.....	97
What if one cannot find a trustworthy person for Shar'i Heelah?.....	97
Advising a Faqeer to spend the amount of Zakah on virtuous causes.....	98
What if someone has spent the amount of Zakah on a Madrasah without performing Shar'i Heelah?.....	98
Performing Shar'i Heelah in order to give Zakah to one's parents.....	98
Giving Nafil Sadaqah instead of Zakah.....	99
A will made by Ameer-ul-Mu'mineen Sayyiduna Abu Bakr.....	99
The warning of Ghaus-e-A'zam.....	100
Performing three Fard acts out of four.....	101
Salah is not accepted.....	102
The ruling on whatever has been given as Sadaqah and charity.....	102
Recognise the satanic attack.....	103
Pay Zakah.....	104
The method of calculating Zakah.....	104
It is our own mistake!.....	104
Heelah for the payment of Zakah of several years.....	105
Give Zakah happily and wholeheartedly.....	106
The Zakah of animals.....	107
When will the Zakah of animals become Fard?.....	107
What if a person purchases an animal for trade and then starts grazing it?.....	108
The Zakah of Waqf animals.....	108
For which types of animals is Zakah Wajib?.....	108

The Zakah of camels.....	108
What if a male camel is given in place of a female camel for the Zakah of camels?	111
Paying the price of animals for the Zakah of camels	111
The Zakah of cows	111
The Zakah of goats.....	112
Other rulings on the Zakah of animals	113
What should be the age of animals for Zakah to become Wajib?	113
What if none of the animals reaches the Nisab?.....	114
The Zakah of horses, donkeys and mules	114
Sadaqa-tul-Fitr.....	114
4 Narrations mentioning the excellence of Sadaqa-tul-Fitr	115
When did Shari'ah make Sadaqa-tul-Fitr Wajib?.....	116
The wisdom of making Sadaqa-tul-Fitr Wajib	116
Shar'i ruling on Sadaqa-tul-Fitr	117
On whom is Sadaqa-tul-Fitr Wajib?.....	117
When does Sadaqa-tul-Fitr become Wajib?.....	118
The difference between Zakah and Sadaqa-tul-Fitr	118
The conditions of the payment of Sadaqa-tul-Fitr.....	119
Sadaqa-tul-Fitr of a Na-Baaligh	119
The Sadaqa-tul-Fitr of an unborn baby.....	119
The Sadaqa-tul-Fitr of one's younger brother.....	119
What if a person's Sadaqa-tul-Fitr has not been paid?	120
What if someone's father has not observed Siyam?	120
Sadaqa-tul-Fitr of children is not Wajib upon the mother.....	120
The Sadaqa-tul-Fitr of orphans	120
The Sadaqa-tul-Fitr of the children of a poor person.....	121
Observing Sawm is not a condition for Sadaqa-tul-Fitr	121
What if the children reside in Pakistan but the father in a different country?	121

The birth of a child in the night preceding Eid-ul-Fitr.....	121
The Sadaqa-tul-Fitr of a person who embraces Islam in the night preceding Eid-ul-Fitr.....	122
What if one's Maal gets destroyed?	122
The Sadaqa-tul-Fitr of a dead person.....	122
The Sadaqa-tul-Fitr of guests.....	122
The Sadaqa-tul-Fitr of a married daughter.....	123
Paying Sadaqa-tul-Fitr without one's permission	123
Which items can be used to pay Sadaqa-tul-Fitr?	124
The amount of Sadaqa-tul-Fitr.....	124
The amount of Sadaqa-tul-Fitr expressed in an easy way.....	124
The time for the payment of Sadaqa-tul-Fitr	125
What if Sadaqa-tul-Fitr is paid in Ramadan?	125
Paying Sadaqa-tul-Fitr even before Ramadan.....	125
Being the owner of Nisab while giving Sadaqa-tul-Fitr in advance.....	125
What if a person gives Sadaqa-tul-Fitr after Eid?.....	125
Which item is Afdal for giving Sadaqa-tul-Fitr?	126
To whom should Sadaqa-tul-Fitr be given?.....	126
To whom should Sadaqa-tul-Fitr not be given?	126
Giving Sadaqa-tul-Fitr to one Miskeen only	126
The details of 'Ushr.....	127
The excellence of 'Ushr	127
The dire consequences of not giving 'Ushr	129
For which agricultural produce is 'Ushr Wajib?	130
'Ushr for the honey produced?	132
For which agricultural produce is 'Ushr not Wajib?	132
The minimum amount for 'Ushr to become Wajib	133
'Ushr on a Na-Baaligh or an insane person	133
'Ushr on a debtor	133
'Ushr on a Shar'i Faqeer	134
Is the completion of a year a condition for 'Ushr or not?	134

The ‘Ushr of different fields.....	134
The ‘Ushr of rented fields.....	135
Who will give ‘Ushr if the owner of a land does not cultivate it himself?	136
‘Ushr of jointly owned land	136
‘Ushr for home-grown agricultural produce	137
The deduction of expenses before giving ‘Ushr	137
Giving ‘Ushr.....	138
Giving ‘Ushr in advance	138
The meaning of ‘the appearance of fruits’ and ‘agricultural produce becomes ready’	139
The ruling on ‘Ushr if the agricultural produce has been sold	139
Delaying giving ‘Ushr.....	140
Using agricultural produce before giving ‘Ushr	140
What if a person passes away before giving ‘Ushr?.....	141
Giving money as ‘Ushr	141
What if a person has not given ‘Ushr for a long time?	141
What if a person does not cultivate land?	142
The ruling on ‘Ushr if agricultural produce gets destroyed	142
To whom should ‘Ushr be given?.....	142
Kharif crops, fruits and vegetables.....	143
Important Kharif crops	143
Rabi’ crops, fruits and vegetables	143
The dire consequences of begging	144
6 Sayings of the Beloved Rasool ﷺ regarding the condemnation of begging	144
A Madani request	146

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْمُرْسَلِينَ
أَمَّا بَعْدُ فَأَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

11 INTENTIONS FOR READING THIS BOOK

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said:

نِيَّةُ الْمُؤْمِنِ خَيْرٌ مِنْ عَمَلِهِ

i.e. a Muslim's intention values more than his deed.

(Al-Mu'jam-ul-Kabeer, vol. 6, pp. 185, Hadees 5942)

Two Madani pearls

1. Without a good intention, no reward is granted for a righteous deed.
2. The more righteous intentions, the greater reward.

11 Intentions for reading this book

1. Before I start reading this book, I will glorify Allah عَزَّوَجَلَّ,
2. recite blessed Durood,
3. Ta'awwuz, and
4. Tasmiyah. *(By reading two lines of Arabic given atop this page, these four intentions shall be acted upon.)*
5. I will look at the Quranic Ayahs, and
6. Ahadees.
7. I will read this book from beginning to end to please Allah عَزَّوَجَلَّ.

8. To the best of my ability, I will try to read it whilst in the state of Wudu, and facing the Qiblah.
9. Wherever I read Allah's name, I will invoke 'عَزَّوَجَلَّ'.
10. And wherever I read the Beloved Rasool's name, I will invoke 'صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ'.
11. If I spot any Shar'i mistake in this book, I will inform the publisher in writing. *(To verbally inform the publisher or author about the mistakes is not so useful.)*



DU'A FOR READING THE BOOK

Read the following Du'a (supplication) before you study a religious book or an Islamic lesson, you will remember whatever you study, *إِنْ شَاءَ اللهُ*:

اللَّهُمَّ افْتَحْ عَلَيْنَا حِكْمَتَكَ وَانْشُرْ
عَلَيْنَا رَحْمَتَكَ يَا ذَا الْجَلَالِ وَالْإِكْرَامِ

Translation: O Allah *عَزَّوَجَلَّ*! Open the doors of knowledge and wisdom for us, and have mercy on us! O the One Who is the most Honourable and Glorious! *(Al-Mustatraf, vol. 1, pp. 40)*

Note: Recite Durood once before and after the Du'a.

أَلْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْمُرْسَلِينَ
أَمَّا بَعْدُ فَأَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

AL-MADINA-TUL-'ILMIYYAH

From: Shaykh-e-Tareeqat, Ameer-e-Ahl-e-Sunnat, the founder of Dawat-e-Islami, 'Allamah Maulana Abu Bilal Muhammad Ilyas 'Attar Qaadiri Razavi Ziyae دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ.

أَلْحَمْدُ لِلَّهِ عَلَى إِحْسَانِهِ وَيَفْضَلِ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ

Dawat-e-Islami, the Madani movement of devotees of Rasool is committed to revive the Sunnah, to propagate the call towards righteousness, and to publish the religious knowledge of Shari'ah in the entire world; and in order to execute all of these functions in an organised manner, various departments have been established and one among these diverse departments is '*Al-Madina-tul-'Ilmiyyah*', which is based on religious scholars and honourable Muftis and is endeavouring to provide educational, research based authentic publications. This department has the following six sub-units:

1. Department for A'la Hadrat's books
2. Department for curriculum books
3. Department for reformatory books
4. Department for translation
5. Department for scrutiny of books
6. Department for referencing of books

The first priority of Al-Madina-tul-'Ilmiyyah is to deliver the phenomenal and exceptional books of the erudite scholar Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ as per the need of the current era in simple language and style.

All Islamic brothers and sisters are requested to provide their full possible support in this educational, research based and publication-related Madani work and they are further requested to read the books published by this department and to motivate others to do the same.

May Allah عَزَّوَجَلَّ grant Dawat-e-Islami and all its departments, including Al-Madina-tul-'Ilmiyyah success, growth, peace, prosperity and popularity and may Allah عَزَّوَجَلَّ bless our virtuous efforts with the jewels of sincerity and make it a means of betterment in both worlds. May Allah عَزَّوَجَلَّ grant us martyrdom under the blissful shade of Gumbad-e-Khazra (the Green Dome), grant us burial in Jannat-ul-Baqi' and bless us with a place in Jannat-ul-Firdaus.

أَمِينٌ بِجَاهِ النَّبِيِّ الْأَمِينِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ

Muhammad Ilyas Attar Qadiri

Ramadan-ul-Mubarak, 1425 AH

أَلْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْمُرْسَلِينَ
أَمَّا بَعْدُ فَأَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

LEARN THE LAWS OF ZAKAH

Dear Islamic brothers! The Rasool of Rahmah, the Intercessor of Ummah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated, ‘The foundation of Islam is on five acts: To testify that there is none worthy of worship except Allah عَزَّوَجَلَّ and Muhammad (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ) is His Rasool; to offer Salah; to pay Zakah; to perform Hajj; and to observe the Siyam [fasts] of Ramadan.’ (Sahih Bukhari, vol. 1, pp. 14, Hadees 8)

In the abovementioned blessed Hadees, Zakah is that act of worship which has been mentioned after Salah. Zakah is the third pillar of Islam and a monetary act of worship. Praise for Zakah-giving people and condemnation for those who do not give it have been mentioned in many blessed Ayahs of the Holy Quran. It is extremely necessary to learn the Shar’i laws of Zakah to gain the excellence and benefits of paying Zakah and also to remain safe from the detriments of not paying it.

*Zakah is the
third pillar of
Islam and a
monetary act
of worship.*

Regretfully, the majority of Muslims are unaware of these laws because of the lack of Islamic knowledge. This is the very reason that Zakah sometimes becomes Fard [obligatory] on a person but he remains unaware of it. Remember that it is certainly Fard to learn the laws of Zakah in case a person becomes the owner of Nisab. Imam of Ahl-us-Sunnah, Mujaddid-e-Deen-o-Millat, A’la Hadrat Ash-Shah Imam

Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ (who passed away in 1340 Hijri) has stated on page 624, volume 23 of *Fatawa Razawiyyah*: If a person becomes the owner of Nisab-e-Naami (i.e. the owner of the Nisab of the Maal [wealth] that grows, whether it grows actually or as Hukmi [invisibly]), (it is Fard-e-Ayn to learn) the laws of Zakah.

(Derived from: *Fatawa Razawiyyah*, vol. 23, pp. 624)

To compile this book, namely '*Faizan-e-Zakat*' [Blessings of Zakah], material has been collected from *Rad-dul-Muhtar*, *Al-Fatawa Al-Hindiyyah*, *Fatawa Razawiyyah*, *Bahar-e-Shari'at*, *Fatawa Faqeeh-e-Millat*, and the Madani Muzakaraths (especially Madani Muzakarath no. 101 and 102) of Shaykh-e-Tareeqat, Ameer-e-Ahl-e-Sunnat, the founder of Dawat-e-Islami, 'Allamah Maulana Abu Bilal Muhammad Ilyas 'Attar Qadiri دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ. As far as possible, efforts have been made to mention the virtues and laws of Zakah, Sadaqa-tul-Fitr and 'Ushr in a very easy manner in this book under different headings along with references so that even the people having less knowledge can obtain benefit from it. Knowledge is still something very difficult. It is not possible that knowledge-related difficulties completely come to an end. Certainly, there will still be many places where one will need to seek explanation from 'Ulama [Islamic scholars].

Therefore, contact the blessed 'Ulama دَامَتْ قُبُوضُهُمُ to understand whatever you do not understand yourself. In this book, the proofs of the laws and the exact text of the references have not been mentioned (except for a few places) because firstly, it is not the job of every individual to understand proofs, and secondly, because of proofs, most of the time a person gets so confused that it becomes difficult for him to understand the actual law or ruling. If someone

is interested in learning proofs, they should study the books mentioned in references, especially *Fatawa Razawiyyah* as اَلْحَمْدُ لِلّٰهِ, such research of every matter has been mentioned in it which is second to none in the world today.

Don't read this important book yourself only but also earn Sawab [reward] for spreading the call to righteousness by persuading other Muslims as well to read it. May Allah عَزَّوَجَلَّ bless us with Taufeeq to keep acting upon Madani In'amaat and travelling with Madani Qafilahs in order to 'strive to reform our own selves and people of the entire world'. May Allah عَزَّوَجَلَّ bless all the Majalis of Dawat-e-Islami including Majlis Al Madina-tul-'Ilmiyyah with great success.

أَمِينٍ بِجَاهِ النَّبِيِّ الْأَمِينِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ

Islahi Kutub Department

(Majlis Al-Madina-tul-'Ilmiyyah)

TRANSLATOR’S NOTES

Dear Islamic brothers! Dawat-e-Islami’s Majlis-e-Tarajim is aimed at rendering the books and booklets of Ameer-e-Ahl-e-Sunnat, the founder of Dawat-e-Islami, ‘Allamah Maulana Abu Bilal Muhammad Ilyas Attar Qaadiri Razavi دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ and those of Majlis Al-Madina-tul-‘Ilmiyyah into various languages of the world. We are pleased to present the English version of the book ‘*Faizan-e-Zakat*’ under the title ‘*Blessings of Zakah*’. It’s an Urdu book presented by ‘Majlis Al-Madina-tul-‘Ilmiyyah’.

Although any translation is inevitably a form of interpretation, we have tried our level best to convey the thought of the author in its true sense. Terms of Islamic Jurisprudence have not been translated as a caution because in most cases, an English word cannot be a full substitute for an Islamic term.

This translation has been accomplished by the grace of Almighty Allah ﷻ, by the favour of His Noble Rasool ﷺ and the spiritual support of our great Shaykh, the founder of Dawat-e-Islami, ‘Allamah Maulana Abu Bilal Muhammad Ilyas Attar Qaadiri Razavi دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ. If there is any shortcoming in this work, it may be a human error on the part of the *Translation Department*, not that of the author of the original book. Therefore, if you find any mistake in it, kindly notify us in writing at the following postal or email address with the intention of earning reward (Sawab).

Majlis-e-Tarajim (Translation Department)

Aalami Madani Markaz, Faizan-e-Madinah Mahallah Saudagran,

Purani Sabzi Mandi, Bab-ul-Madinah, Karachi, Pakistan

UAN: +92-21-111-25-26-92 – Ext. 7213

Email: translation@dawateislami.net

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْمُرْسَلِينَ
أَمَّا بَعْدُ فَأَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Blessings of **Zakah**

EXCELLENCE OF BLESSED DUROOD

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: When the people who love each other for the sake of Allah عَزَّوَجَلَّ meet each other, shake hands and send Durood upon the Nabi (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ), the past and the future sins of both are forgiven before they separate.

(Musnad Abi Ya'la, vol. 3, pp. 95, Hadees 2951)

صَلُّوا عَلَى الْحَبِيبِ صَلَّى اللهُ عَلَى مُحَمَّدٍ

A BASIC PILLAR OF ISLAM

Dear Islamic brothers! Zakah is a basic pillar of Islam. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated, 'The foundation of Islam is on five acts: To testify that there is none worthy of worship except Allah عَزَّوَجَلَّ and Muhammad (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ) is His Rasool; to offer Salah; to pay Zakah; to perform Hajj; and to observe the Siyam [fasts] of Ramadan.' *(Sahih Bukhari, vol. 1, pp. 14, Hadees 8)*

The significance of Zakah can be observed by the following fact: Salah and Zakah have been mentioned together in the Holy Quran 32 times. (*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 202*) Besides this, the fortunate Zakah-giving person receives great blessings and benefits of this world and the Hereafter (which have been mentioned in the later pages of this book).

ZAKAH IS FARD

It is proven from the Holy Quran and Sunnah that Zakah is Fard. Allah عَزَّوَجَلَّ has stated in the Holy Quran:

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ

And keep Salah (obligatory prayer) established and pay Zakah (obligatory charity).

[*Kanz-ul-Iman (translation of Quran)*] (Part 1, Surah Al-Baqarah, Ayah 43)

Explaining this Ayah in *Tafseer Khaza'in-ul-'Irfan*, Maulana Sayyid Muhammad Na'eemuddin Muradabadi رَحْمَةُ اللهِ عَلَيْهِ (who passed away in 1367 Hijri) has stated: This Ayah is regarding Salah and Zakah being Fard.

حُدِّثُوا عَنْ مَالِكِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا

O Beloved, take Zakah from their wealth, by which you may cleanse them and make them pure.

[*Kanz-ul-Iman (translation of Quran)*] (Part 11, Surah At-Taubah, Ayah 103)

Explaining the aforementioned Ayah in *Tafseer Khaza'in-ul-'Irfan*, Maulana Sayyid Muhammad Na'eemuddin Muradabadi رَحْمَةُ اللهِ عَلَيْهِ has stated: There are many opinions of the Mufasssireen [Quranic

exegetes] about the meaning of the word ‘صَدَقَه’ [Sadaqah] that has been mentioned in the Ayah. One opinion states: Sadaqah was not Wajib, which the people who have been mentioned in the previous Ayah had given as expiation. The second opinion is that this ‘Sadaqah’ refers to that Zakah which was Wajib [compulsory] upon them. They repented and tried to pay Zakah, so Allah عَزَّوَجَلَّ commanded to take it. Imam Abu Bakr Raazi جَسَّاسٌ عَلَيْهِ رَحْمَةُ اللَّهِ عَلَيْهِ has given preference to the opinion that ‘Sadaqah’ refers to Zakah.

(Khaazin and Ahkam-ul-Quran)

3 NARRATIONS REGARDING ZAKAH BEING FARD

1. Sayyiduna ‘Abdullah Ibn ‘Umar رَضِيَ اللَّهُ عَنْهُمَا has narrated that the Beloved Rasool صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: Allah عَزَّوَجَلَّ has commanded me to fight against people until they testify that there is none worthy of worship except Allah عَزَّوَجَلَّ and Muhammad (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ) is the true Rasool of Allah عَزَّوَجَلَّ; offer Salah properly; give Zakah; thus, if they do accordingly, their wealth and lives will become protected from me except for the punishment which Islam has made compulsory upon them (on account of any Had¹ [حَد]).

(Sahih Bukhari, vol. 1, pp. 20, Hadees 25)

2. When the Beloved Rasool صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ sent Sayyiduna Mu’aaz رَضِيَ اللَّهُ عَنْهُ towards Yemen, he صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: Tell them that Allah عَزَّوَجَلَّ has made Zakah Fard in their wealth; it should be taken from the wealthy and given to the Fuqara [the poor].

(Sunan-ut-Tirmizi, vol. 2, pp. 126, Hadees 625)

¹ Punishment which is fixed by Shari’ah for any sin.

3. Sayyiduna Abu Hurayrah رَضِيَ اللهُ عَنْهُ has stated that when Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ left this world and Sayyiduna Abu Bakr رَضِيَ اللهُ عَنْهُ became the Khalifah and [the people of] some Arab tribes became Murtads¹ (as they denied Zakah to be a Fard act), Sayyiduna ‘Umar رَضِيَ اللهُ عَنْهُ said: How will you fight with the people despite the fact that Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said, ‘I have been commanded [by Allah عَزَّوَجَلَّ] to do Jihad against people until they recite ‘لَا إِلَهَ إِلَّا اللهُ’. He, who has agreed to ‘لَا إِلَهَ إِلَّا اللهُ’, has protected his life and his wealth from me except for the right of someone, and [now] his accountability will be carried out in the court of Allah عَزَّوَجَلَّ. (I.e. these people say ‘لَا إِلَهَ إِلَّا اللهُ’, so how Jihad will be done against them?)

Sayyiduna Abu Bakr رَضِيَ اللهُ عَنْهُ said: By Allah عَزَّوَجَلَّ! I will do Jihad against the person who will differentiate between Salah and Zakah (that he accepts Salah to be Fard but denies Zakah being Fard), and Zakah is the right of wealth. By Allah عَزَّوَجَلَّ! If they stopped even a rope (that is Wajib upon them to give) which they would give in the blessed era of Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ, I will fight against them.

Sayyiduna ‘Umar رَضِيَ اللهُ عَنْهُ has said: By Allah عَزَّوَجَلَّ! I saw that Allah عَزَّوَجَلَّ has opened the chest of Siddeeq (i.e. he perceived it through Divine guidance). At that time, I also realised that it is Haq [the truth].

(Sahih Bukhari, Kitab-uz-Zakah, vol. 1, pp. 472-473, Hadees 1399, 1400)

Explaining the aforementioned Hadees, Mufti Muhammad Amjad ‘Ali A’zami رَحِمَهُ اللهُ عَلَيْهِ (who passed away in 1367 Hijri)

¹ Religious apostates

has stated: From this Hadees, we came to know that only reciting the Kalimah is not enough for Islam unless a person agrees to all Zaruriyat-e-Deen¹. The reason why Ameer-ul-Mu'mineen Farooq-e-A'zam رَضِيَ اللهُ عَنْهُ discussed it is that he was previously unaware that those people have denied Zakah to be a Fard act; he thought that they do not pay Zakah, so they have become sinners because of it, not Kafir; therefore, Jihad could not be done against them. However, when he came to know about it, he رَضِيَ اللهُ عَنْهُ has said, 'I realised that what (Sayyiduna) Siddeeq رَضِيَ اللهُ عَنْهُ understood and did is Haq [the truth].'² (*Bahar-e-Shari'at, vol. 1, part 5, pp. 870*)

WHEN DID ZAKAH BECOME FARD?

Zakah became Fard in 2 Hijri before Siyam [fasts].

(*Ad-Durr-ul-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 202*)

WHAT IS THE RULING ON DENYING ZAKAH TO BE A FARD ACT?

It is proven from the Holy Quran that Zakah is Fard; the one who denies it is a Kafir.

(*Derived from: Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, chap. 1, pp. 170*)

¹ Zaruriyat-e-Deen refers to those fundamental beliefs and practices of Islam which are known by all the 'Ulama [Islamic scholars] and common people [close to 'Ulama]. For example, the Oneness of Allah عَزَّوَجَلَّ, Nubuwwah of the blessed Ambiya عَلَيْهِمُ السَّلَام, Salah, Sawm [fast], Hajj, Jannah, Hell, resurrection on the Day of Judgement, accountability, etc. (*Kufriyah Kalimat kay baaray mayn Suwal Jawab, pp. 41*)

16 VIRTUES AND BENEFITS OF PAYING ZAKAH

1. Means of completion of Iman

Paying Zakah is a means of completion of Iman as the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: The completion of your Islam is that you pay Zakah of your wealth.

(Attargheeb Wattarheeb, Kitab-us-Sadaqaat, vol. 1, pp. 301, Hadees 12)

At one place, the Holy Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: He who believes in Allah عَزَّوَجَلَّ and His Rasool, it is compulsory for him to pay Zakah of his wealth. *(Al-Mu'jam-ul-Kabeer, vol. 12, pp. 324, Hadees 13561)*

2. Mercy of Allah descends

The mercy of Allah عَزَّوَجَلَّ descends upon the one who pays Zakah. It is stated in Surah Al-A'raf:

وَرَحْمَتِي وَسِعَتْ كُلَّ شَيْءٍ ۖ فَسَأَكْتُبُهَا لِلَّذِينَ يَتَّقُونَ وَيُؤْتُونَ الزَّكَاةَ

And My Mercy encompasses all things, so I shall soon decree favours for those who fear and pay Zakah.

[Kanz-ul-Iman (translation of Quran)] (Part 9, Surah Al-A'raf, Ayah 156)

3. Attaining Taqwa [piety] and asceticism

Taqwa is attained by giving Zakah. This is also one sign amongst the signs of Muttaqeen [pious people] mentioned in the Holy Quran. It is stated:

وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ ﴿٣١﴾

And spend in Our path from the sustenance We have bestowed (upon them).

[Kanz-ul-Iman (translation of Quran)] (Part 1, Surah Al-Baqarah, Ayah 3)

4. Way of success

The Zakah-giving person becomes amongst those who are successful, as in the Holy Quran, Zakah has also been mentioned amongst the acts of successful people. It is stated:

قَدْ أَفْلَحَ الْمُؤْمِنُونَ ﴿١﴾ الَّذِينَ هُمْ فِي صَلَاتِهِمْ
خاشِعُونَ ﴿٢﴾ وَالَّذِينَ هُمْ عَنِ اللَّغْوِ مُعْرِضُونَ ﴿٣﴾ وَالَّذِينَ هُمْ لِلزَّكَاةِ فَاعِلُونَ ﴿٤﴾

Undoubtedly, the believers reached their goals. Those who humble themselves in their Salah. And who do not incline towards vain talk. And who are active in the payment of Zakah.

[Kanz-ul-Iman (translation of Quran)] (Part 18, Surah Al-Mu`minoan, Ayah 1-4)

5. He who deserves the help of Allah

Allah عَزَّوَجَلَّ helps the one who pays Zakah. It is stated:

وَلَيَنْصُرَنَّ اللَّهُ مَنْ يَنْصُرُهُ ۗ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ ﴿٤٠﴾ الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا
الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ ۗ وَلِلَّهِ عَاقِبَةُ الْأُمُورِ ﴿٤١﴾

And undoubtedly, Allah will definitely help the one who helps His religion. Indeed Allah is surely All Powerful, Ever Dominant. Those people that, if We give them control in the land, would keep Salah established and pay Zakah, and command virtue and forbid evil, and only for Allah is the end of all matters.

[Kanz-ul-Iman (translation of Quran)] (Part 17, Surah Al-Hajj, Ayah 40, 41)

6. He who belongs to the category of good people

Paying Zakah is one of the attributes of those people who frequent the ‘houses of Allah عَزَّوَجَلَّ’ i.e. Masajid. It is stated:

إِنَّمَا يَعْمُرُ مَسْجِدَ اللَّهِ مَنَ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَلَمْ
يَخْشَ إِلَّا اللَّهَ فَعَسَىٰ أُولَٰئِكَ أَن يَكُونُوا مِنَ الْمُهْتَدِينَ ﴿١٨﴾

Only those uphold the Mosques of Allah, who believe in Allah and the Last Day and keep Salah established and pay Zakah and fear none except Allah; so it is imminent that they will be amongst the people of guidance.

[Kanz-ul-Iman (translation of Quran)] (Part 10, Surah At-Taubah, Ayah 18)

7. Sawab of infusing happiness into the hearts of the Islamic brothers

The needs of poor Islamic brothers are fulfilled by paying Zakah and their hearts are infused with happiness.

8. An excellent expression of Islamic brotherhood

The act of giving Zakah is an excellent expression of Islamic brotherhood as by giving Zakah, a Ghani-Muslim [i.e. one who has to pay Zakah] encourages his poor Islamic brother to live in the society with honour. Moreover, the heart of the poor Islamic brother remains protected from the attack of the evils like ill-will and jealousy as he knows that he also has the right in the wealth of his Ghani Islamic brother; therefore, he makes Du'a for blessings in the life, wealth and children of his brother. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, 'Indeed, a Mu`min is

*Indeed, a
Mu`min is like a
building for a
Mu`min; one
strengthens the
other.*

like a building for a Mu`min; one strengthens the other.'

(Sahih Bukhari, Kitab-us-Salah, vol. 1, pp. 181, Hadees 481)

9. Manifestation of the saying of Rasoolullah ﷺ

Zakah plays a very important role in strengthening the brotherhood between Muslims which enhances collectivity in the Islamic society and because of mutual help, Muslims manifest the following great saying of their Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ: The example of mutual friendship, mercy and affection of Muslims is like a body; when any part of the body is not well, the entire body joins [i.e. affected by] it in fever and sleeplessness.

(Sahih Muslim, Kitab-ul-Birr, pp. 1396, Hadees 2586)

10. Wealth becomes pure

Wealth becomes pure by giving Zakah as it is narrated by Sayyiduna Anas Bin Maalik رَضِيَ اللهُ عَنْهُ that the Holy Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said, ‘Give Zakah of your wealth as it is the one that purifies, it will purify you’. *(Al-Musnad Imam Ahmad Bin Hanbal, vol. 4, pp. 274, Hadees 12397)*

11. Getting rid of negative attributes

By giving Zakah, a person gets help in getting rid of the bad attributes like greed and miserliness (if he has them in his heart), and he is blessed with the good attribute of generosity.

12. Blessing in wealth

The wealth of the Zakah-giving person does not decrease; in fact, it increases in the world and the Hereafter. Allah عَزَّوَجَلَّ has stated:

وَمَا أَنْفَقْتُمْ مِنْ شَيْءٍ فَهُوَ يُخْلِفُهُ ۖ وَهُوَ خَيْرُ الرَّازِقِينَ ﴿٣٩﴾

*And whatever you spend in the path of Allah, He will give more in return.
And He is The Best Provider.*

[Kanz-ul-Iman (translation of Quran)] (Part 22, Surah Saba, Ayah 39)

At another place, it is stated:

مَثَلُ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثَلِ حَبَّةٍ أَنْبَتَتْ سَبْعَ سَنَابِلٍ فِي كُلِّ سُنْبُلَةٍ مِائَةٌ حَبَّةٌ ۗ وَاللَّهُ يُضِعِفُ لِمَنْ يَشَاءُ ۗ وَاللَّهُ وَاسِعٌ عَلِيمٌ ﴿١٦٦﴾ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ ثُمَّ لَا يَتَّبِعُونَ مَا أَنْفَقُوا مَنًّا وَلَا أَذَىٰ ۗ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ ۗ وَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ ﴿١٦٧﴾

The example of those who spend their wealth on the path of Allah is similar to a grain which has sprouted seven ears (of wheat) and each ear contains a hundred grains, and Allah may increase this many a time for whomsoever He desires, and Allah is All-Encompassing, All-Knowing. Those who spend their wealth in the path of Allah, and after spending they do not boast of their favour nor taunt; their reward is with their Lord; they shall have no fear nor shall they grieve.

[Kanz-ul-Iman (translation of Quran)] (Part 3, Surah Al-Baqarah, Ayah 261, 262)

Thus, the Zakah-giving person should give Zakah wholeheartedly, having the firm belief that Allah عَزَّوَجَلَّ will give him something better in return. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, 'Wealth does not decrease by giving Sadaqah.'

(Al-Mu'jam-ul-Awsat, vol. 1, pp. 619, Hadees 2270)

Although apparently, the wealth decreases but in reality, it increases; like apparently, it seems that a tree loses its leaves and stems when the dead branches are removed from it but this removal of dead branches is actually the cause of its growth.

The renowned Mufassir, Hakeem-ul-Ummat Mufti Ahmad Yar Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: The Zakah of a Zakah-giving person keeps on increasing every year; it has been experienced. The farmer, who sows the field with seeds, apparently empties the gunnysacks but in

reality, he fills them again along with profit. The gunnysacks in the house get destroyed, being spoiled by mice, weevils, etc.; or it means that keep on spending from the wealth from which Sadaqah is regularly given, إِنَّ شَاءَ اللهُ it will keep on increasing; [if you] keep on taking out water of the well, it will keep on increasing.

(Mirat-ul-Manajih Sharh Mishkat-ul-Masabih, vol. 3, pp. 93)

13. Protection from evil

The Zakah-giving person becomes protected from evil as the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, ‘He who has paid Zakah of his wealth, indeed, Allah عَزَّوَجَلَّ has removed evil from him.’

(Al-Mu’jam-ul-Awsat, vol. 1, pp. 431, Hadees 1579)

14. Source of protection of wealth

Giving Zakah is a source of protection of wealth as the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated, ‘Bring your wealth into strong fortresses by giving Zakah and treat your sick people with charity.’

(Maraseel Abi Dawood ma’ Sunan Abi Dawood, pp. 8)

15. Allah will fulfil the needs

Allah عَزَّوَجَلَّ will fulfil the needs of the Zakah-giving people as the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, ‘He who fulfils the need of any person, Allah عَزَّوَجَلَّ will fulfil his needs in the religion and the world.’ *(Sahih Muslim, Kitab-uz-Zikr wad-Du’a, pp. 1447, Hadees 2699)*

At another place, he صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, ‘He who relieves the worldly suffering of any Muslim, Allah عَزَّوَجَلَّ will remove the trouble of the Day of Judgement from him.’

(Sunan-ut-Tirmizi, Kitab-ul-Hudood, vol. 3, pp. 115)

16. The poor make Du'a

The poor make Du'a for the Zakah-giving person due to which the mercy of Allah ﷺ descends and a person receives the help of Allah ﷺ as the Beloved Rasool ﷺ has said, 'You receive the help of Allah ﷺ and sustenance because of the blessing of the old and their Du'as.'

(Sahih Bukhari, Kitab-ul-Jihad, vol. 2, pp. 280, Hadees 2896)

8 POINTS STATING THE HARM OF NOT GIVING ZAKAH

Dear Islamic brothers! There are many disadvantages of not giving Zakah; some of them are as follows:

1. A person will not receive those benefits which he would have received if he had paid Zakah.
2. A person will not be able to get rid of the negative attribute of miserliness (if he possesses it). The Beloved Rasool ﷺ has said: Generosity is a tree in Jannah [Paradise]; he who has become generous has held the branch of that tree. That branch will not leave him until it makes him enter Jannah. And miserliness is a tree in fire; he who has become a miser has held the branch of it. It will not leave him until it makes him enter fire. *(Shu'ab-ul-Iman, vol. 7, pp. 435, Hadees 10877)*
3. [Not giving Zakah] is a cause of the destruction of wealth as the Beloved Rasool ﷺ has said: The wealth that has got destroyed in the land and sea, it has got destroyed because of not giving Zakah.

(Majma'uz-Zawaid, Kitab-uz-Zakah, vol. 3, pp. 200, Hadees 4335)

At another place, he صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: Zakah will destroy the wealth in which it will be present.

(Shu'ab-ul-Iman, vol. 3, pp. 273, Hadees 3522)

Explaining the aforementioned Hadees, Sadr-ush-Shari'ah, Badr-ut-Tareeqah, Mufti Muhammad Amjad 'Ali A'zami رَحْمَةُ اللهِ عَلَيْهِ (who passed away in 1367 Hijri) has stated: Some Imams have stated the following meaning of this Hadees, 'If Zakah becomes Wajib on a person but he does not pay it and keeps it included in his wealth, then this Haraam will destroy that Halal. Imam Ahmad (رَحْمَةُ اللهِ عَلَيْهِ) has stated the following meaning: If a wealthy person takes Zakah, this Zakah will destroy his wealth as Zakah is for the Fuqara [Shari'ah-declared poor people]. Both the meanings are correct.'

(Bahar-e-Shari'at, vol. 1, part 5, pp. 871)

4. The nation which does not give Zakah may suffer from troubles collectively. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: The nation which will not give Zakah, Allah عَزَّوَجَلَّ will make it suffer from drought. *(Al-Mu'jam-ul-Awsat, vol. 3, pp. 275, Hadees 4577)*

At another place, he صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: When people abandon paying Zakah, Allah عَزَّوَجَلَّ stops the rain. If quadrupeds were not present on the earth, even a single drop of water would not fall from the sky.

(Sunan Ibn Majah, Kitab-ul-Fitn vol. 4, pp. 367, Hadees 4019)

5. The person who does not give Zakah has been cursed, as Sayyiduna 'Abdullah Bin Mas'ood رَضِيَ اللهُ عَنْهُ has narrated: Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has cursed the one who does not give Zakah. *(Sahih Ibn Khuzaymah, Kitab-uz-Zakah, vol. 4, pp. 8, Hadees 2250)*

6. On the Day of Judgement, this wealth will become a cause of punishment for a person. It is stated in Surah At-Taubah:

وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ
 أَلِيمٍ ﴿٣٤﴾ يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ
 هَذَا مَا كَنْزْتُمْ لِأَنْفُسِكُمْ فَذُوقُوا مَا كُنْتُمْ تَكْنِزُونَ ﴿٣٥﴾

And those who pile up gold and silver and do not spend in Allah's Way, give them the glad tidings of a painful punishment. The Day when it (gold and silver) will be heated in the Fire of Hell, and their foreheads and their sides and their backs will be branded with it. 'Here is what you accumulated for yourselves; so now taste the flavour of your accumulation.'

[Kanz-ul-Iman (translation of Quran)] (Part 10, At-Taubah, Ayah 34, 35)

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: The person whom Allah عَزَّوَجَلَّ has given wealth and he does not pay its Zakah, on the Day of Judgement, that wealth will be converted into the form of a bald snake which will have two spots on its head; that snake will be put around his neck after being made a collar. Then [it] will hold the corners of his lips and say, 'I am your wealth, I am your treasure'. Thereafter, the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ recited the following Ayah:

وَلَا يَحْسِبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا أَنَّهُمْ اللَّهُ مِنْ فَضْلِهِ هُوَ خَيْرًا لَّهُمْ ۚ بَلْ هُوَ شَرٌّ لَّهُمْ ۚ
 سَيُطَوَّقُونَ مَا بَخَلُوا بِهِ يَوْمَ الْقِيَامَةِ ۚ

And those who act miserly in respect to that, which Allah has bestowed upon them by His grace, must never think that it is good for them; rather, it is bad for them. Soon, in which they were miserly,

shall be a collar (in the form of a snake) around their necks on the Day of Resurrection.

[*Kanz-ul-Iman (translation of Quran)*] (Part 4, Aal-e-‘Imran, Ayah 180)
(*Sahih Bukhari, Kitab-uz-Zakah, vol. 1, pp. 474, Hadees 1403*)

7. A person will be held accountable severely as the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said: The Faqeer [i.e. the poor] will not at all go through the pain of being naked and hungry [i.e. state of extreme poverty] but at the hands of Aghniya [i.e. the wealthy]. Listen! Allah عَزَّوَجَلَّ will hold such wealthy people accountable severely and inflict grievous punishment on them. (*Majma’-uz-Zawaid, Kitab-uz-Zakah, vol. 3, pp. 197, Hadees 4324*)
8. A person may suffer the torment of Hell. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ saw some people on whose front and back there were some pieces of cloth like small loincloths, and like quadrupeds, they were wandering around eating the hot stones of Hell, cactus and extremely bitter, burning, foul-smelling grass. He صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ enquired from Jibra’eel عَلَيْهِ السَّلَام ‘Who are these people?’ Jibra’eel عَلَيْهِ السَّلَام humbly replied, ‘Those people are over here who did not pay Zakah of [their] wealth; and Allah عَزَّوَجَلَّ has not oppressed them; Allah عَزَّوَجَلَّ does not oppress [His] servants.’ (*Az-Zawajir, Kitab-uz-Zakah, vol. 1, pp. 372*)

At one place, the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, ‘The non-payer of Zakah will be in Hell on the Day of Judgement.’ (*Majma’-uz-Zawaid, Kitab-uz-Zakah, vol. 3, pp. 201, Hadees 4337*)

At another place, he صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, ‘Three people will go into Hell before others; one of them is that wealthy person who does not fulfil the ‘right of Allah عَزَّوَجَلَّ’ in [relation to] his wealth.’ (*Sahih Ibn Khuzaymah, Kitab-uz-Zakah, vol. 4, pp. 8, Hadees 2249; summarised*)

DETAILS OF PUNISHMENTS

On page 405, volume 1 of his world famous book *Faizan-e-Sunnat*, Shaykh-e-Tareeqat, Ameer-e-Ahl-e-Sunnat, ‘Allamah Maulana Abu Bilal Muhammad Ilyas Attar Qaadiri دَامَتْ بَرَكَاتُهُمُ الْعَالِيَه has stated: Dear Islamic brothers! Remember! As there is great Sawab for paying Zakah, there are also severe punishments for the non-payer of Zakah. Mentioning the details of the punishments stated in Quran and Hadees, A’la Hadrat, Imam of Ahl-us-Sunnah, Maulana Shah Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: In short, on the Day of Judgement, the gold and silver for which Zakah is not paid will be heated in the fire of Hell, and their foreheads, sides of the body, and backs will be burnt with it. A hot stone of Hell will be kept on

“

...a collar around his neck; it will take his face in its mouth and bite it, that, ‘I am your wealth; I am your treasure’.

”

their heads and chests which will ruin the chest and come out from the shoulder; it will be kept on the bone of the shoulder which will ruin the bones and come out

from the chest; it will ruin the back and come out from the side of the body; and it will ruin the nape of the neck and come out from the forehead. On the Day of Judgement, the wealth for which Zakah is not given will become an old, dirty, bloodthirsty serpent and slither behind that person [who had not paid Zakah]. He will stop [the serpent] with his hand but it will bite the hand; then it will become a collar around his neck; it will take his face in its mouth and bite it, that, ‘I am your wealth; I am your treasure’. Then, it will bite his entire body. ‘وَالْعِيَادُ بِاللّٰهِ رَبِّ الْعٰلَمِيْنَ’ (*Fatawa Razawiyyah referenced, vol. 10, pp. 153*)

After frightening the non-payer of Zakah by the punishments of the Day of Judgement, A'la Hadrat رَحْمَةُ اللهِ عَلَيْهِ has stated while explaining: O dear! Do you consider the saying of Allah عَزَّوَجَلَّ and Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ a joke or do you consider it easy to face these severe difficulties (on the Day of Judgement, i.e.) for the duration of fifty thousand years? Just heat a rupee (a small coin) in the worldly fire and then keep it on your body to realise! There is no comparison between this slight heat and that fire of punishment, between just a coin and that wealth accumulated in the entire life, between just a minute over here and that difficult day of several thousand years, between this slight burn and that punishment in which bones are ruined. May Allah عَزَّوَجَلَّ guide the Muslims.

(Ibid, pp. 175)

At another place, A'la Hadrat رَحْمَةُ اللهِ عَلَيْهِ has stated: In short, the severe punishments of not paying Zakah are unbearable. The non-payer of Zakah should expect that he will suffer these severe punishments for a thousand years, [and fear] as the mountains will shatter into pieces having faced such sufferings, let alone a weak human being.

Dear Islamic brothers! Always remain associated with the Madani environment of Dawat-e-Islami. إِنَّ شَاءَ اللهُ you will keep on getting information regarding the necessary rulings on Zakah and charity and your yearning for acting upon the Islamic teachings will also keep on increasing.

THE DEFINITION OF ZAKAH

That wealth, specified by Shari'ah, is termed as Zakah from which a person discontinues his benefit in every manner and then for the pleasure of Allah عَزَّوَجَلَّ, it is given into the possession of such Muslim

Faqeer [Shari'ah-declared poor person], who is neither Hashimi¹ himself nor is he a slave freed by any Hashimi.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 204, 206; summarised)

WHY 'ZAKAH' IS CALLED ZAKAH?

The literal meaning of Zakah is 'Taharah [purity]', and 'increment and blessing'. Since, in reality, Zakah becomes a cause of Taharah, increment and blessing for the remaining wealth [although it may not be apparent], this is why it is called Zakah.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 203; summarised)

TYPES OF ZAKAH

There are basically two types of Zakah:

1. Zakah of wealth
2. Zakah of people (i.e. Sadaqa-tul-Fitr)

There are further two types of 'Zakah of wealth':

1. Zakah of gold and silver
2. Zakah of trade goods and livestock, and the Zakah of cultivated crops and fruits (i.e. 'Ushr). *(Derived from: Bida'i-us-Sana'i' fi Tarteeb-ish-Shara'i', Kitab-uz-Zakah, vol. 2, pp. 75)*

¹ Bani Hashim refers to the descendants of Sayyiduna 'Ali, Sayyiduna Ja'far, Sayyiduna 'Aqeel, Sayyiduna 'Abbas Bin 'Abdul Muttalib and Sayyiduna Haaris Bin 'Abdul Muttalib (رَضِيَ اللهُ عَنْهُمْ). The remaining ones who did not support the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ, for example, Abu Lahab; although this Kafir [unbeliever] was also the son of Sayyiduna 'Abdul Muttalib, but his descendants will not be included in Bani Hashim.

(Bahar-e-Shari'at, vol. 1, pp. 931)

ON WHOM IS ZAKAH FARD?

Giving Zakah is Fard upon every such ‘Aaqil [sane] and Baaligh [person who has reached puberty] Muslim who is not a slave and who meets the following conditions:

1. He owns the Nisab
2. This Nisab is Naami [growing in nature]
3. He has Nisab in his possession
4. The Nisab is exclusive of his Haajat-e-Asliyyah (i.e. basic necessities of life)
5. The Nisab is exclusive of the money he owes (i.e. he should not owe people such debt that his Nisab will no longer remain if he pays it).
6. A year passes on this Nisab.

(Summarised from: Bahar-e-Shari’at, vol. 1, part 5, pp. 875-884)

DETAILS OF CONDITIONS

The owner of Nisab

Being the owner of Nisab means that a person has 7.5 Tola¹ of gold, or 52.5 Tola of silver, or cash equal to its price, or trade goods whose value is equal to its price, or possessions exclusive of Haajat-e-Asliyyah whose value is equal to its price.

(Derived from: Bahar-e-Shari’at, vol. 1, part 5, pp. 902-905, 928)

¹ A Tola is a traditional ancient Indian and South Asian unit of mass, now standardised as 11.66 grams.

The ruling on giving Zakah before becoming the owner of Nisab

If a person gives Zakah first and then becomes the owner of Nisab, the wealth he has given will not be included in Zakah; in fact, its Zakah will have to be given separately.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 176)

The Zakah on Haraam wealth

Zakah will not be Fard on the person whose total wealth is Haraam [unlawful] because he is not the owner of that wealth. It is stated in *Durr-e-Mukhtar*: If the total wealth is Haraam, there is no Zakah upon it. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 259*)

A'la Hadrat, Imam of Ahl-us-Sunnah, Maulana Ash-Shah Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: How can that wealth become pure by giving the 40th part whose remaining 39 parts are also impure. (*Fatawa Razawiyah, vol. 19, pp. 656*)

It is necessary for such person that he repents and gets rid of the Haraam wealth.

The method of getting rid of Haraam wealth

On page 27 of his booklet '*Purasrar Bhikari*' [Mysterious Beggar], Shaykh-e-Tareeqat, Ameer-e-Ahl-e-Sunnat, founder of Dawat-e-Islami, 'Allamah Maulana Abu Bilal Muhammad Ilyas Attar Qadiri دَامَتْ بَرَكَاتُهُمُ الْعَالِيَةِ has stated: There are two forms of Haraam wealth:

1. Haraam wealth obtained through theft, bribery, usurpation and other similar means. The person who obtains it does not become its owner at all. Shari'ah has made it Fard to return

this wealth to its owner; if he has died, it should be given to the heirs; if even they cannot be traced, it should be given to any Faqeer [Shari'ah-declared poor person] as charity without the intention of Sawab.

2. That Haraam wealth by whose possession, a person acquires its impure ownership (مِلْكٌ حَيْثٌ). It is the wealth acquired through any 'Aqd-e-Faasid [imperfect transaction], such as Riba [interest], or the earnings from shaving beard, cutting it to less than a fist length, etc. The same ruling applies to it as well but the difference is that it is not Fard to return it to its owner or his heirs; it can also be given to a Faqeer as charity without the intention of Sawab in the first place. However, it is Afdal [أَفْضَل] [better] to return it to the owner or his heirs.

(Derived from: Fatawa Razawiyyah, vol. 23, pp. 551, 552, etc.)

The meaning of Maal-e-Naami

Maal-e-Naami means the wealth that grows, whether it grows actually or as Hukmi [invisibly]. There are its three forms:

1. This growth will be due to trade.
2. This growth will be due to leaving animals in a jungle for breeding.
3. The wealth will be Naami by nature like gold, silver, etc.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 174)

What is Haajat-e-Asliyyah?

Haajat-e-Asliyyah (i.e. basic necessities of life) refers to all those things which a person generally requires and one faces serious

problems and difficulties in spending life without them, such as the house one lives in, clothes one wears, conveyance, books related to knowledge of Deen, tools related to one's occupation, etc.

(Al-Hidayah, Kitab-uz-Zakah, vol. 1, pp. 96)

For example, the following are included in Haajat-e-Asliyyah: Telephone or mobile phone for those who need to contact different people; computer for those who write books using a computer or earn a livelihood through it; glasses or lenses for those who have poor eyesight; hearing aid for hearing-impaired people; likewise, bicycle for travelling; motor cycle, car or other vehicles; or other such things which a person needs and he finds difficulty in spending his life without them.

When will a year complete [for Zakah]?

The date and time when a person became the owner of Nisab, as long as the Nisab remains, the year will complete at the same minute

when the same date and same time will come.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 202)

He will become a sinner if he now delays paying the Zakah without any Shar'i reason.

For example, at 12 pm on 12th of Rabi'-ul-Awwal i.e. Eid Meelad-un-Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ, Zayd received 7.5 Tola of gold, or 52.5 Tola of silver, or the amount of money equal to its value, or trade goods having value equal to its value; then, upon completion of the year at

12 pm on Eid Meelad-un-Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ (12th of Rabi'-ul-Awwal), if he is still the owner of Nisab, paying Zakah of that wealth will become Fard [obligatory] upon him. He will become a sinner if he now delays paying the Zakah without any Shar'i reason.

Will lunar months be taken into account or calendar months?

For completion of the year, lunar months [i.e. months of Islamic calendar] will be taken into account. It is Haraam [prohibited] to take calendar months [i.e. months of the Gregorian calendar] into account. *(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 157)*

Decrease in Nisab during the year

Since the start and end of the year are taken into account for Zakah to become Fard, if the Nisab of Zakah is complete on the completion of the year, the decrease (in Nisab) during the year has no effect; Zakah of the wealth [owned by the person] at that time will be given. *(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 278; Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 175)*

For example, Bakr became the owner of 7.5 Tola of gold at 12 pm on 1st of Ramadan, so the same moment became the start of the year [of Zakah]. Then, he sold 1 Tola of gold in Shawwal, so the Nisab decreased. When Ramadan-ul-Mubarak was going to arrive next year, he received a gift of 1 Tola of gold from someone in the month of Sha'ban. So, he was again the owner of Nisab at 12 pm on 1st of Ramadan; therefore, he will now have to pay Zakah of that gold because the year has completed.

Increase in Nisab during the year

If a person is the owner of Nisab and he gains some more wealth of the same category during the year, the year of this newly gained wealth will not be different; in fact, completion of the year for this wealth is the same as for the previously owned wealth, even if he has gained this wealth just a minute before the completion of the year. In this regard, it doesn't matter whether this wealth has been

gained through his previously owned wealth, or through inheritance, or as a gift, or by any other permissible means. If this newly gained wealth belongs to a different category, for example, a person first owned camels and now he got female goats, then a new, different year for it will be considered.

(Bahar-e-Shari'at, vol. 1, part 5, ruling no. 43, pp. 884)

Note: In this regard, gold, silver, currency notes and trade goods will all be considered as the same category.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 210)

For example, Zayd received 11,000 rupees on 11th of Rabi'-us-Saani, and then he received 12,000 rupees on 12th of Rabi'-ul-Awwal in inheritance. He also received 25,000 rupees on 25th of Safar-ul-Muzaffar as a gift or the house rent. In this way, Zayd possessed a total of 48,000 rupees at the end of the year. Now, according to Shari'ah, it is Wajib [compulsory] upon Zayd to pay Zakah of this total amount of money because all the currency notes fall into the same category; therefore, the same year of the previously owned 11,000 rupees will be considered for the amount of money which will be received during the year.

The loss of Nisab during the year

If the Nisab is lost during the year such that none of it remains, the year [of Zakah] that had started will no longer be considered; the day on which he will become the owner of Nisab again will become the new beginning of the year [of Zakah]. For example, a person became the owner of Nisab on 1st of Muharram and in Safar, he lost his entire wealth; then he gained wealth again in Rabi'-un-Noor, so this same month will become the beginning of the year [of Zakah]. *(Derived from: Fatawa Razawiyyah, vol. 10, pp. 89)*

Zakah in the state of Kufr

If a person who was previously a Kafir [unbeliever] embraces Islam, it is not Fard upon him to pay Zakah of [his past life he spent in] the state of Kufr because Zakah becomes Fard upon a Muslim, not on a Kafir. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 171-175*)

Zakah on a Na-Baaligh and insane person

Zakah is not Fard upon a Na-Baaligh¹. There are some types of insane people:

1. If a person remains insane throughout the year, Zakah is not Wajib upon him.
2. If a person becomes sane in the beginning and end of the year, Zakah is Wajib upon him, even if he remains insane for the rest of the time period.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, pp. 875)

Beginning of the 'year of Zakah' for an insane person

There are two types of Junoon [insanity]: (1) Junoon-e-Asli (2) Junoon-e-'Aarzi.

1. If it is Junoon-e-Asli, i.e. a person becomes Baaligh² in the state of insanity, his year [of Zakah] will start when he becomes sane.
2. If it is Junoon-e-'Aarzi and a person remains insane throughout the year, the year [of Zakah] will start from the time when he regains sanity.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, pp. 875)

¹ A child who has not yet reached puberty.

² A person who has reached puberty.

THE WEALTH FOR WHICH ZAKAH BECOMES FARD

Zakah is [Fard] for three types of wealth:

1. Gold and silver (Their ruling applies to currency notes as well, provided that the notes are still in use.)
2. Trade goods
3. Saa`imah, i.e. animals left for grazing. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 174; Fatawa Razawiyyah referenced, vol. 10, pp. 161; Bahar-e-Shari'at, vol. 1, part 5, pp. 882, ruling no. 33*)

THE NISAB FOR GOLD AND SILVER

The Nisab for gold is twenty Misqal, i.e. 7.5 Tolas, whereas the Nisab for silver is two hundred dirhams, i.e. 52.5 Tolas¹.

(*Bahar-e-Shari'at, vol. 1, part 5, pp. 902*)

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated: When you own two hundred dirhams and a year passes on them, five dirhams are [Zakah] for them; and there is nothing upon you in gold until it becomes twenty dinars. When you own twenty dinars and a year passes on them, there is a half dinar Zakah for them.

(*Sunan Abi Dawood, Kitab-uz-Zakah, vol. 2, pp. 143, Hadees 1573*)

WHAT AMOUNT OF ZAKAH WILL BE GIVEN?

1/40th part of the Nisab (i.e. 2.5%) will have to be given as Zakah.

(*Fatawa Amjadiyyah, vol. 1, pp. 378*)

¹ According to goldsmiths, 7.5 Tolas of gold approximately equals 87 grams and 48 milligrams, and 52.5 Tolas of silver approximately equals 612 grams and 41 milligrams.

THE RULING ON THE WEALTH WHICH IS MORE THAN THE NISAB

If a person owns some amount of wealth which is more than the Nisab, it will be calculated whether the wealth more than the Nisab is equal to the one-fifth part (Khums) of the Nisab or not.

- If it is equal [to the one-fifth part], then 2.5 % of this one-fifth part (Khums), i.e. 1/40 part will have to be given as Zakah as well.
- If this additional amount of wealth is less than the one-fifth part (Khums), then it is exempted and there is no Zakah for it.

For example, if a person owns 8 Tolas of gold, he will have to pay Zakah of only 7.5 Tolas of gold because the additional amount of wealth (i.e. half Tola) is less than the one-fifth part of the Nisab (i.e. 1.5 Tolas). On the other hand, if a person owns 9 Tolas of gold, he will pay Zakah of 9 Tolas because this additional amount of wealth (i.e. 1.5 Tolas) is equal to the one-fifth part of the gold's Nisab. 'عَلَى هَذَا الْقِيَاسِ'

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 85)

ZAKAH FOR THE WEALTH WHICH IS MORE THAN THE NISAB AND THE ONE-FIFTH PART

The wealth which is more than the Nisab and the one-fifth part but less than the second one-fifth part, is exempted; there is no Zakah for it. For example, if a person owns 10 Tolas of gold, he will give Zakah of only 9 Tolas; the 10th Tola is exempted. On the other hand, if a person owns 10.5 Tolas of gold, he will give Zakah

of 10.5 Tolas because the second one-fifth part is now complete.
(Derived from: *Fatawa Razawiyyah referenced, vol. 10, pp. 85*)

DIFFERENT TYPES OF WEALTH OF THE SAME CATEGORY AND THE CALCULATION OF ZAKAH

If a person owns different types of wealth and each type is [individually] less than the Nisab, the total value of the entire wealth such as gold, silver, trade goods or currency will be calculated and the calculation of its Zakah will be made according to that Nisab which brings about more benefit to the Fuqara [poor people]. For example, if the [amount of] Zakah will be more in making its calculation by considering the entire wealth as silver, then calculation should be made accordingly; and if the [amount of] Zakah will be more by considering [the entire wealth as] gold, then the calculation should be made accordingly. If [the amount of Zakah] remains the same in both cases, calculation will be made according to that type of wealth which is more commonly used by the people to pay Zakah. If both types of wealth are equally used by the people to pay Zakah, the Zakah-giving person has the choice that he may give Zakah according to gold or according to silver.

It is stated in *Fatawa Shaami*: Combine [calculation] will be made according to the value [of that type of wealth] which will make the combine value reach the Nisab, not [the value] of the other. If both [types of] wealth make the combine value reach the Nisab and one of them is more commonly used, then the calculation will be made according to it.

(*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 271; summarised*)

It is stated in *Sharh Niqayah*: If both are equal (in being used by the people to pay Zakah), the Zakah-giving person will have the choice. (*Sharh Niqayah, Kitab-uz-Zakah, vol. 1, pp. 313*)

If a person owns different types of wealth and each of them reaches the Nisab, there are three possibilities in this case:

First possibility

Each type of wealth is exactly equal to the Nisab and there isn't anything more than the Nisab. (For example, a person owns 7.5 Tolas of gold and 52.5 Tolas of silver). In such case, if he wishes to [make] combine [calculation], that calculation will be made which results in greater [amount of] Zakah.

(Derived from: Bida' i'-us-Sana' i', vol. 2, pp. 108)

Second possibility

There will be some exempted amount of each type of wealth, more than the Nisab; so only the additional exempted amount of every type of wealth will be combined together and calculation will be made according to that Nisab which results in greater [amount of] Zakah. (For example, if a person owns 8 Tolas of gold and 53 Tolas of silver, both contain a half Tola of exempted amount, so calculation will be made after combining both of them.)

Third possibility

More than the Nisab, there will be some exempted amount of one type of wealth whereas the other type of wealth will have no exempted amount. In this case, only that additional exempted amount of the first type of wealth will be combined with the

second type of wealth (having no exempted amount). For example, if the Nisab of gold has an exempted amount and the Nisab of silver has no exempted amount, only the exempted amount of gold will be combined with silver. (If a person owns 8 Tolas of gold and 52.5 Tolas of silver, calculation will be made after combining the additional (exempted) amount of gold with silver.)

(Derived from: Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 179; Fatawa Razawiyyah referenced, vol. 10, pp. 116)

THE NISAB OF GOLD IS COMPLETE AND THAT OF SILVER IS INCOMPLETE

Any one of the both [types of wealth] whose Nisab is complete (having no exempted amount); the other type of wealth will be combined with it. For example, if there are 52.5 Tolas of silver and 4 Tolas of gold, the gold will be combined with the silver; and if it is the opposite case, i.e. there are 7.5 Tolas of gold and 40 Tolas of silver, then the silver will be combined with gold.

(Fatawa Razawiyyah referenced, vol. 10, pp. 115)

THE PRICE OF GOLD AND SILVER AS ZAKAH

Instead of [giving] gold or silver, it is [also] permissible to pay their price as Zakah. It is stated in *Durr-e-Mukhtar*: It is also permissible to pay the price as Zakah.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 250)

THE DEFINITION OF PRICE

According to Shari'ah, the market value of something is called its price. If something is purchased by chance or purchased for a

greater or lesser amount after bargaining, this [amount] will not be called its price (in fact, it will be called 'قَمَن').

(Fatawa Amjadiyyah, vol. 1, pp. 382)

WHICH PRICE WILL BE CONSIDERED?

At the place where goods are actually sold according to the government rates, the same rates will be considered. If there is a difference between the government rate and the market rate, then the market rate will be considered.

(Fatawa Amjadiyyah, vol. 1, pp. 386; summarised)

WHICH AREA WILL BE CONSIDERED FOR THE PRICE?

The price which will be considered is the price of something in the area where it is present.

(Bahar-e-Shari'at, vol. 1, part 5, ruling no. 18, pp. 908)

WHICH DAY WILL BE CONSIDERED FOR THE PRICE?

Neither that price will be considered when something was made nor that price when Zakah is paid. In fact, that price will be evaluated and considered [which something is worth] at the time when the year of Zakah completes.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 133)

METHOD FOR CALCULATING THE ZAKAH OF GOLD AND SILVER

There are two choices: (1) You wish to pay Zakah in the form of money, or (2) in the form of gold or silver.

1. If you wish to pay Zakah in the form of money, following is the easiest calculation: On the completion of the year of Zakah, find out their price and then pay its 2.5% (i.e. 2.5 rupees for every hundred rupees) as Zakah. In this way, some additional amount of money might be paid but it is certain that Zakah will be paid completely and the additional amount will be considered to be Nafil Sadaqah.
2. If you wish to pay the Zakah of gold in the form of gold or the Zakah of silver in the form of silver, you will have to give its $1/40^{\text{th}}$ part (i.e. 2.5%) as Zakah. The method for its calculation is as follows: (According to the information obtained from a goldsmith), one Tola is approximately equal to 11 grams 665 milligrams. Therefore, the Zakah of 7.5 Tolas (2.5%) will approximately be 2.187 grams of gold and Zakah of 52.5 Tolas of silver (2.5%) will approximately be 15.310 grams of silver.

If you own some amount of gold or silver more than the Nisab, the easy method is to pay 2.5% of the total amount of gold or 2.5% of the total amount of silver as Zakah. In this way, some additional amount might be paid but it is certain that Zakah will be paid completely and the additional amount will be considered to be Nafil Sadaqah. *(Derived from: Fatawa Razawiyyah referenced, vol. 10; Bahar-e-Shari'at, part 5)*

Note:

For learning the complete method of the calculation of Zakah, please read part 5 of *Bahar-e-Shari'at*.

THE RULING ON IMPURITY

Following are the three cases of gold or silver containing impurity:

1. If the gold or silver is more than the impurity, the total metal will be considered as gold or silver, and Zakah is Wajib [compulsory] for the total amount.
2. If impurity is equal to the gold or silver, Zakah is still Wajib.
3. If impurity is more [than gold or silver], then [this metal] will not be considered as gold or silver. Its two cases are as follows:
 - (a) If it contains gold or silver in such an amount that if separated, it will reach the Nisab, or it does not reach the Nisab but a person owns some more wealth such that it will reach the Nisab when both are combined, or it is used [by the people] as 'مَنْ' [currency] and its price reaches the Nisab, then Zakah is Wajib in all of these cases.
 - (b) In case none of these cases apply, then if a person has the intention of trade for it and the conditions of trade are also met, consider it [in the category of] trade goods and if its price reaches the Nisab, either alone or after combining with other wealth, then Zakah is Wajib, otherwise not.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 6, pp. 904)

ZAKAH OF JEWELLERY

Zakah will also become Fard for jewellery which is worn.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 1, pp. 270; summarised)

BANGLES OF FIRE

A woman came in the blessed court of the Holy Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ. She was accompanied by her daughter who had thick gold bangles in her hand. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ asked that woman, ‘Do you pay Zakah of these [bangles]?’ The woman humbly replied, ‘No.’ The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said, ‘Are you happy with it that on the Day of Judgement, Allah عَزَّوَجَلَّ makes you wear bangles of fire in exchange for these bangles?’ Listening to it, she immediately placed those bangles in front of Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ and said, ‘These are for Allah عَزَّوَجَلَّ and His Rasool (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ).’

(*Sunan Abi Dawood, Kitab-uz-Zakah, vol. 2, pp. 137, Hadees 1563*)

THE ZAKAH OF GOLD AND SILVER JEWELLERY AND CROCKERY

If the Zakah of gold and silver jewellery, crockery, etc. is given in rupees [i.e. money], the price of actual gold or silver will be considered. (*Fatawa Amjadiyyah, vol. 1, pp. 378*)

THE USE OF GOLD AND SILVER CROCKERY

On page 38, 39 of part 16 of *Bahar-e-Shari'at*, ‘Allamah Maulana Mufti Muhammad Amjad ‘Ali A’zami رَحْمَةُ اللهِ عَلَيْهِ has stated:

- It is forbidden for both men and women to eat and drink in gold and silver crockery, apply oil from gold and silver bowls, apply ‘Itr [perfume] from gold and silver bottles and inhale smoke of incense from gold and silver braziers.
- It is forbidden for both men and women to eat with gold and silver spoons, apply Surmah [a type of kohl] using gold and silver needles or bottles, look into gold and silver mirrors, use gold

and silver pens and inkpots to write, perform Wudu using gold and silver lotas [ewers] or basins and sit on gold and silver chairs.

- It is impermissible to use gold and silver tea sets.
- There is no harm in using gold and silver items for only decorating the house; for example, placing their crockery, pens and inkpots properly to decorate the house. Likewise, there is no harm in decorating the house with gold and silver chairs, tables, benches, etc., if a person does not sit on them.

ZAKAH OF DOWRY

Since the woman owns dowry, she will have to pay its Zakah if it becomes Fard.

THE ZAKAH OF WIFE'S JEWELLERY

If the husband has given jewellery to his wife, the wife will pay Zakah in case he has transferred the ownership of that jewellery to her. However, if he is still its owner and has given it [to her] only for wearing it, then the husband will pay Zakah. *(Derived from: Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 133)*

IF THE HUSBAND EXPLAINS BUT THE WIFE DOES NOT STILL GIVE ZAKAH!

If the wife does not give the Zakah of jewellery despite the fact that her husband explains [to her], the husband will not be held accountable for it. It is stated in the Holy Quran:

أَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

(The fact is this) that no burdened soul bears another soul's burden.

[Kanz-ul-Iman (translation of Quran)] (Part 27, Surah An-Najm, Ayah 38)

However, it is compulsory for the husband to explain [to his wife] in a proper manner as it is stated in the Holy Quran:

يَا أَيُّهَا الَّذِينَ آمَنُوا قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ

O believers! Save yourselves and your families from the Fire; the fuel of which are humans and stones.

[Kanz-ul-Iman (translation of Quran)] (Part 28, Surah At-Tabreem, Ayah 6)

(Derived from: Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 132)

THE ZAKAH OF MORTGAGED JEWELLERY

The Zakah of mortgaged jewellery is neither [due] on mortgagee (i.e. مرتبه) nor on mortgagor (i.e. رابن) because the mortgagee does not own it whereas the mortgagor does not possess it. When the mortgagor will take that jewellery back, Zakah of the previous years will not be Wajib [compulsory] on him.

(Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 146)

WHAT IF THE HUSBAND HAS MORTGAGED THE WIFE'S JEWELLERY?

The mortgaged jewellery will not be included in the calculation of Zakah. *(Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 147)*

METHOD OF PAYING THE ZAKAH OF JEWELLERY FOR THE PREVIOUS YEARS

If someone owns jewellery and he or she has not paid Zakah for many years, in order to make calculation of the Zakah for previous years, it will be noted whether there has been any increase or decrease in the amount of jewellery after becoming the owner of Nisab, or

not. If there has not been [any increase or decrease], find out the price of the jewellery on the day of completion of the first year [of Zakah] and pay its Zakah. Thereafter, if the remaining jewellery reaches the Nisab, find out its price on the day of completion of the second year and pay Zakah. If the remaining jewellery still reaches the Nisab, find out the price of the jewellery on the day of completion of the third year and pay Zakah. ‘عَلَى هَذَا الْقِيَّاسِ’ [i.e. keep on repeating it in the same way].

(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 128)

If there has been an increase or decrease in the amount of jewellery, subtract the decreased amount from the Nisab on the day of completion of every year, find out the price and pay Zakah; if there has been an increase [in the amount of jewellery], include it in the Nisab and pay Zakah.

IS ZAKAH WAJIB UPON THE PERSON WHO USES GOLD IMPERMISSIBLY?

Whether or not it is permissible for the owner to use gold and silver, it is Wajib [compulsory] upon him to give its Zakah. It is stated in *Durr-e-Mukhtar*: It is compulsory [to pay] 1/40 part as Zakah for the items made of both (gold and silver), even if they are in the form of bars or jewellery; whether it is permissible to use them or forbidden. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah vol. 1, pp. 270; summarised*)

It is compulsory [to pay] 1/40 part as Zakah for the items made of both (gold and silver), even if they are in the form of bars or jewellery...

ZAKAH FOR DIAMONDS AND PEARLS

Zakah is not Wajib for diamonds and pearls, even if they are worth thousands [of rupees]. However, Zakah is Wajib if they are purchased with the intention of trade.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 230)

ZAKAH FOR GOLD OR SILVER EMBROIDERY

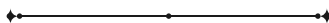
If someone has gold or silver embroidery on his clothes, Zakah will be [Wajib] for it as well.

(Fatawa Amjadiyyah, Kitab-uz-Zakah, vol. 1, pp. 377)

THE ZAKAH OF THE MONEY SAVED FOR HAJJ

The Zakah of the money saved for the journey of Hajj and Ziyarat-e-Madinah [blessed visit to Madinah] will have to be given if the conditions which make Zakah Wajib are fulfilled.

(Fatawa Razawiyyah referenced, vol. 10, pp. 140)



TRADE GOODS AND THEIR ZAKAH

Which goods are known as trade goods?

Those goods and property are known as ‘trade goods’ which have been purchased with the intention of selling [i.e. trade]; if the intention of trade has been made after purchasing them or after receiving them in inheritance, then these [goods and property] will not be regarded as trade goods.

(Derived from: Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 221)

For example, if Zayd purchases a motorcycle with the intention that he will sell it and earn profit, it falls into the category of trade goods. If he purchases it for his personal use and at the time of purchase he does not have the intention of selling it, he only has the intention of using it but after purchase, he makes the intention that he will sell it if he earns a high profit, or if he makes a firm intention of selling it, even then, Zakah will not be Fard because the laws of Zakah will be applicable upon the intention that a person has at the time of purchase.

Trade goods left as estate

If someone leaves trade goods as estate, Zakah is Wajib provided that the heirs make the intention of trade after his demise.

(Bahar-e-Shari'at, vol. 1, part 5, ruling no. 36, pp. 883)

The Nisab of trade goods

Zakah is Wajib for anything which falls into the category of trade goods and its price reaches the Nisab of gold or silver (i.e. price of 7.5 Tolas of gold or 52.5 Tolas of silver).

(Bahar-e-Shari'at, vol. 1, part 5, ruling no. 4, pp. 903)

The Zakah of trade goods

The 1/40 part (i.e. 2.5%) of the price will have to be given as Zakah.

(Fatawa Amjadiyyah, vol. 1, pp. 378)

The Zakah of the profit earned from trade goods

Zakah will be Fard for trade goods, not only for the profit. In fact, on the completion of the year, Zakah is [Fard] for both; the amount

of profit [a person possesses] at that time as well as trade goods. (*Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 158*)

The calculation of the Zakah of trade goods

For giving the Zakah of trade goods, find out their price and then give its 1/40 part as Zakah. (*Derived from: Fatawa Amjadiyyah, vol. 1, pp. 378*)

The price at the time of purchase or completion of the year

For trade goods, their price on completion of the year will be considered. (*Bahar-e-Shari'at, vol. 1, part 5, ruling no. 16, pp. 907*)

The method of paying Zakah for a wholesaler

The day and time when the wholesaler had become the owner of the Nisab arrives on the completion of the year and other conditions are fulfilled, he should calculate and immediately pay the Zakah of all the goods he possesses at that specific time. Moreover, he should keep the record of the goods sold on credit and from the total amount [of those goods], when he receives one-fifth part of the amount of Nisab, he should pay the Zakah of that received part. In the same way, as he keeps on receiving every fifth part, he should keep on paying the Zakah of that received part.

(*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 281*)

However, the easy method is to give Zakah of the goods sold on credit at once so that a person does not have to make calculation again and again. (*Fatawa Razawiyyah referenced, vol. 10, pp. 133*)

The goods purchased on credit

Separate the goods purchased on credit from the actual goods and pay the Zakah of the remaining goods [i.e. the actual goods].

Will the wholesale price be considered or the retail price?

The wholesalers will calculate the [total] price according to the wholesale price and retailers will calculate it according to the retail price.

The method of calculation

The payer of the ‘Zakah of trade goods’ should make the calculation of Zakah in the following way:

Price of the trade goods he possesses at present:	
Currency notes:	
Money lent to someone:	
Trade goods sold on credit:	
Total:	

Then, subtract from it the amount of money borrowed [from someone] or the value of trade goods purchased on credit; then pay 2.5% of the remaining amount as Zakah. Remember! It is not Wajib at present to pay Zakah of the money lent to someone or trade goods sold on credit, but it has been included in the calculation for ease [of calculation].

Will Zakah have to be given every year?

As long as the trade goods will keep reaching the Nisab either alone, or after combining with other types of wealth, Zakah will become Wajib on them every year provided that other conditions which make Zakah Wajib are fulfilled.

(Derived from: Fatawa Razawiyah referenced, Kitab-uz-Zakah, vol. 10, pp. 155)

Change of intention after purchase

Suppose a person purchased something, for example, a car, with the intention of trade but he changed his intention of selling it when he noticed that the car is better for his personal use. After some days, he needed money so he made the intention of selling the car but it could not be sold for the whole year; Zakah will not be [Wajib] for this car because if the intention of trade changes once for any item [of trade goods] or the intention of selling it is once changed and then the intention of trade is made for it again, it cannot come into the category of trade goods again [only because of this intention].

The Zakah of a shop

A shop purchased for trade will not be included in the Nisab. It is stated in *Fatawa Shaami*: (There is no Zakah) for shops and lands. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 217*)

The Zakah of a deposit

The deposit paid for renting a shop or a house will be included in Nisab because the deposit paid for renting a shop or a house is a type of debt in our 'Urf [usual practice]; therefore, it will also be included in the Nisab. (*Waqar-ul-Fatawa, vol. 1, pp. 239*)

The Zakah of the 'soap of a launderer' and 'dye of a dyer'

In this regard, the rule states that if something is purchased for doing some form of work and its effect remains after the completion of the work, and it is equal to or greater than the Nisab, Zakah will become Fard for it upon the completion of the year. If its effect does not remain, Zakah will not be Fard even if it is equal to or

more than the Nisab and the year also completes. Therefore, the Zakah of soap is not Fard on the launderer because it does not exist [after it is used], and Zakah is not [Fard] for such item, whereas Zakah will be [Fard] on the dyer because the colour remains on the cloth, so Zakah will be [Fard] for it.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 172; summarised)

The Zakah of the bottles of a perfumer [‘Itr seller]

A perfumer keeps two types of bottles. The first type consists of small bottles which are sold with perfume [‘Itr]; their Zakah will be [Fard]. The second type consists of large bottles or glass jars which are filled with perfume and kept in a shop or a house but they are not sold; there is no Zakah for them.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 218; summarised)

Zakah upon a Roti seller

Zakah is not [Fard] for the wood a Roti seller purchases for cooking Rotis¹ or salt he purchases for mixing with flour. Zakah is [Fard] for the sesame seeds he purchases to use on Rotis.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 180)

The Zakah of books

If someone owns many books, Zakah will not be Wajib upon him because Zakah is not Wajib for books, provided that they are not for the purpose of trade.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 217)

¹ (In India and the Caribbean) a type of unleavened bread.

The Zakah of rental property

Zakah is not [Fard] for the houses which are to be rented out, even if they are worth Rs. 500 million. However, if the benefit [i.e. rent] obtained through them reaches the Nisab, either alone or after combining with other types of wealth and other conditions of Zakah are fulfilled, its Zakah will have to be given.

(Fatawa Razawiyyah referenced, vol. 10, pp. 161; summarised)

The Zakah of rental cars and buses

Zakah will not be Wajib for rental cars or buses. However, the Zakah of the income [earned] from them will be Fard.

(Fatawa Faqeeh-e-Millat, Kitab-uz-Zakah, vol. 1, pp. 306)

The Zakah of household items

If someone owns a television, computer, fridge, washing machine (oven, AC), etc., Zakah will not be Wajib on him, whether he uses them or not, because these are all household items; these are not Maal-e-Naami [i.e. the wealth that grows].

(Waqar-ul-Fatawa, Kitab-uz-Zakah, vol. 2, pp. 389)

The Zakah of decorative items

Zakah is not [Fard] for decorative items of the house, for example, copper crockery, porcelain crockery, etc., even if they are worth millions of rupees.

(Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 161)

The Zakah of the money paid as Bay'anah

In our society, Bay'anah¹ [بيعانه] as surety is usually given before purchase to ensure that the person will certainly purchase that particular thing. This Bay'anah is either a debt if the person [to whom it is given] has the permission to use it, or only a trust. In both the cases, this Bay'anah will also be included in Nisab.

(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 149)

The Zakah of a purchased item before taking possession of it

If someone purchases anything but does not take possession of it, Zakah will neither be [Fard] upon the buyer nor upon the seller. Zakah is not [Fard] upon the buyer as his ownership has not become Kamil [complete] because of not possessing it [and complete ownership] is a condition for Zakah to become Wajib. Zakah is not [Fard] upon the seller as he no longer remains its owner because of selling it. However, after possessing it, the buyer will have to give Zakah of this year as well.

On page 878, part 5, volume 1 of *Bahar-e-Shari'at*, Mufti Muhammad Amjad 'Ali A'zami رَحْمَةُ اللهِ عَلَيْهِ has stated: If a person purchases goods or property for trade and does not take them into possession for the whole year, Zakah will not be Wajib upon the purchaser before taking possession; and after taking possession, Zakah is Wajib of this year as well. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 215; Bahar-e-Shari'at, vol. 1, part 5, ruling no. 16, pp. 878*)

¹ A small amount of money paid in advance for purchasing property.

THE ZAKAH OF CURRENCY NOTES

The Zakah of currency notes is also Wajib as long as they remain in use. (*Bahar-e-Shari'at, vol. 1, part 5, ruling no. 9, pp. 905*)

The Nisab of currency notes

When the price of currency notes reaches the Nisab of gold or silver, the Zakah of currency notes is Wajib as well.

(*Derived from: Bahar-e-Shari'at, part 5, ruling no. 9, pp. 40*)

The calculation of the 'Zakah of currency notes'

1/40 part of the Nisab (i.e. 2.5%) will have to be given as Zakah. (*Fatawa Amjadiyyah, vol. 1, pp. 378*)

A table for the 'Zakah of currency notes'

Amount	Zakah	Amount	Zakah
Rs. 100	Rs. 2.5	Rs. 1,000,000	Rs. 25,000
Rs. 1000	Rs. 25	Rs. 1 crore	Rs. 250,000
Rs. 10,000	Rs. 250	Rs. 10 crore	Rs. 2,500,000
Rs. 100,000	Rs. 2,500	Rs. 100 crore	25,000,000

The Zakah of the money saved for the daughters' marriage

If a person saves money for his daughters' marriage and transfers its ownership to them before they become Baaligh [i.e. reach puberty], Zakah will not be Fard upon them until they become Baaligh because Zakah does not become Fard on a Na-Baaligh¹. However,

¹ A child who has not yet reached puberty.

Zakah will become Wajib upon them after they become Baaligh if the conditions [of Zakah] are fulfilled.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 144)

The Zakah of the money placed in trust

If a person spends the money placed in his trust by the consent of the owner, its owner will have to pay its Zakah.

(Habib-ul-Fatawa, pp. 637)

The Zakah for insurance premiums

If the amount paid for insurance reaches the Nisab, either alone or after combining with other types of wealth, its Zakah will be [Fard] as well.

The Zakah of the amount of money paid for Hajj

Usually, from the amount of money paid for Hajj, some amount is deducted as travel costs and some amount of it is given to the Haji [a Muslim pilgrim] in Saudi Arabia for other expenses. The amount of money deducted as travel costs no longer remains under the ownership of the Haji because the money given in advance for the services does not remain under the ownership of the payer; instead, the payee becomes its owner. Therefore, this amount of money will not be included in the Nisab. The Haji is the actual owner of the amount of money he receives in Saudi Arabia and it lies under the category of debt in our 'Urf [usual practice]. Therefore, if this amount of money reaches the Nisab, either alone or after combining with other types of wealth, and a year has also passed on those types of wealth, its Zakah will become Fard. However, giving Zakah of the remaining amount of money he had

given earlier is Wajib at the time when the person receives at least one-fifth part of the amount of the Nisab.

(Derived from: Fatawa Ahl-e-Sunnat, series no. 4, pp. 27, 28)

The Zakah for provident funds

Since this fund remains under the ownership of the owner [i.e. the employee], if the employee is the owner of Nisab, the Zakah of this amount of money will also keep on becoming Fard every year from the time when this amount of money started being saved.

(Fatawa Fayz-ur-Rasool, part 1, pp. 479)

However, its payment will become Wajib when at least one-fifth part of the amount of the Nisab is received.

(Derived from: Fatawa Faqeeh-e-Millat, vol. 1, pp. 320)

The Zakah of the bonuses received by employees

Public sector or private sector employees receive some specific amount of money besides their salary at the end of the year which is known as a bonus. It is a form of gift and according to Shari'ah it lies under the category of Maal-e-Mawhoob [مَوْهُوب] (i.e. something that has been gifted). Therefore, ownership will not be transferred [to the employee] unless he takes possession of it; the employee will become its owner only after taking possession of it. Thereafter, its Zakah will be Wajib if it reaches the Nisab, either alone or after combining with other types of Amwaal-e-Zakah [wealth for which Zakah becomes Wajib]. *(Jadeed Masa'il-e-Zakah, pp. 4)*

The Zakah of the amount of money deposited in the bank

Although money is deposited in the bank as trust but in our 'Urf [usual practice], it is considered as debt because the depositor knows

that the bank will invest his money in business, etc. Therefore, Zakah of this amount of money will be Wajib as well but it will be paid when at least one-fifth part of the Nisab is received.

(Derived from: Fatawa Amjadiyyah, Kitab-uz-Zakah, vol. 1, pp. 368)

In an explanatory note of *Fatawa Amjadiyyah*, ‘Allamah Mufti Muhammad Shareef-ul-Haq Amjadi رَحْمَةُ اللهِ عَلَيْهِ has stated: Easiness lies in paying the Zakah every year of the total amount of money a person owns [even if he does not possess it at present]. One does not know when he meets death [all of a sudden] and the heirs may or may not pay Zakah; Satan misleads [people] in no time.

The Zakah of ‘the amount of a committee’¹

The matter of a committee is similar to debt. Therefore, it will be noted that whether a person has received a committee or not. If he has received the complete amount of a committee, Zakah will be [Wajib] for the amount he has already deposited. The amount of money which still needs to be paid will not be included in the Nisab because it is like a debt on him. If he has not received the amount of committee, Zakah will become Fard upon the completion of the year provided that the Nisab is complete and the other conditions of Zakah are fulfilled. However, the payment [of Zakah] will become compulsory [Wajib] when at least one-fifth part of the amount of the Nisab is received. Thereafter, Zakah of that received part will be paid. *(Fatawa Ahl-e-Sunnat, series no. 4, pp. 10; summarised)*

¹ In the subcontinent, the word ‘committee’ is also used in the sense of an agreement among a fixed number of individuals, called committee members, who all pay an equal amount of money each month, and the total amount deposited by all members is given to only one member each month either by a lucky draw or one by one in a predetermined order. This continues until all members get their full money back.

The method of calculation

If the person paying committee has received the amount of committee, he should calculate Zakah in the following way:

Amount of money received:	
Amount of money still to be deposited (subtract it from the amount received):	
Total amount:	

Now, he should pay 2.5% of this total amount as Zakah.

DEBT AND ZAKAH

Zakah on Madyoon

Zakah will be Fard upon a Madyoon¹ provided that he owes such amount of 'Dayn' [دَيْن] that if he pays it, the Nisab still exists; if the Nisab no longer exists, Zakah will not be Fard.

On page 878, part 5, volume 1 of *Bahar-e-Shari'at*, Mufti Muhammad Amjad 'Ali A'zami رَحْمَةُ اللهِ عَلَيْهِ (who passed away in 1367 Hijri) has stated: If a person is the owner of the Nisab but he owes Dayn, such that after he pays it, the Nisab no longer exists, Zakah is not Wajib; whether that Dayn is owed to a person such as a debt,

¹ That person is known as a 'Madyoon' who owes Dayn to someone. The thing which is 'وَاجِبٌ فِي الدَّيْنِ' (i.e. Wajib upon someone to pay) due to any contract such as 'بَيْعٌ' [i.e. commercial contract] or 'اِجْرَاهُ' [i.e. service contract], or 'Tawaan [i.e. compensation]' which becomes Wajib upon him because of destroying anything or the [payment] which becomes Wajib because of debt, are all called 'Dayn'. 'Debt' is the name of a specific type of 'Dayn' which people refer to as 'Dastgardan' 'دستگردان' [in Urdu]. People nowadays refer to every 'Dayn' as debt; this is contrary to the terminology used in 'Fiqh [Islamic Jurisprudence]'. (*Bahar-e-Shari'at*, part 11, pp. 130)

or the cost (of something purchased), or Tawaan [compensation] for something, or that Dayn is [an obligation] owed to Allah عَزَّوَجَلَّ, such as Zakah and Khiraaaj. For example, someone is the owner of only one Nisab and two years have passed such that he did not give Zakah, then Zakah of only the first year will be Wajib, not of the second year as Zakah of first year is Dayn that he owes and after it is deducted, the Nisab no longer exists; therefore, the Zakah of the second year is not Wajib. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 172-174, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 210*)

Zakah on the guarantor for a Madyoon

If a person is not Madyoon himself but is a Kafeel [guarantor] for a Madyoon and the Nisab no longer exists after deducting the amount of Kafalah¹, Zakah is not Wajib. For example, if Zayd owns 1000 rupees and Bakr borrows 1000 rupees from someone and Zayd becomes his Kafeel, Zakah will not be Wajib upon Zayd in this case as although Zayd owns money, it is involved in debt owed by Bakr as the lender has the right to demand [the money] from Zayd and also to get him imprisoned in case he does not pay it. This money is involved in Dayn; therefore, Zakah is not Wajib.

*...as the lender
has the right to
demand [the
money] from
Zayd...*

(*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 210*)

¹ In the Shar'i terminology, 'Kafalah' means that one person shares the '[financial] obligation he owes' with the other, i.e. one person actually owes a [financial] obligation, but the other one also takes on this [financial] obligation. For detailed information, read Bahar-e-Shari'at, part 12.

Does every type of Dayn serves as an obstacle for Zakah to become Wajib?

Dayn (i.e. debt, etc.) which people cannot claim will not be considered in this matter, i.e. it does not serve as an obstacle for Zakah; for example, Nazr [vow], Kaffarah [atonement], Sadaqa-tul-Fitr, Hajj and Qurbani [animal sacrifice], as, even if the Nisab no longer exists after their amount is deducted from Nisab, Zakah is Wajib. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 211, etc.*)

Becoming a debtor after the completion of the year

If a person becomes a debtor after the completion of the year upon the Nisab, Zakah will have to be paid because debt will serve as an obstacle for the payment of Zakah when one is burdened with it before Zakah becomes Fard. If a person becomes a debtor after completion of the year upon the Nisab, it will not be considered at all. (*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 215*)

Mahr and Zakah

Mahr [dowry] of a woman is usually deferred [Mahr], i.e. it is demanded only after the [husband's] death or divorce. A man does not even have a thought in all his expenses that he owes Dayn (i.e. debt). Therefore, such Mahr does not serve as an obstacle for Zakah to become Wajib. So, Zakah will become Fard upon the person who owes Mahr if the other conditions are fulfilled.

(*Derived from: Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 173*)

The Zakah of Mahr on a woman

There are two types of Mahr: Mu'ajjal (i.e. it has been agreed that the Mahr will be given before Khalwat¹) and Ghayr-Mu'ajjal (for which any time period has been specified). If Mahr-Mu'ajjal of a woman is equal to or greater than the Nisab, then, upon receiving at least its one-fifth part, it will be Wajib to pay its Zakah. Usually, the time of payment is not specified for Ghayr-Mu'ajjal Mahr and a woman cannot demand it before divorce or the death of her husband. Its Zakah will be Fard after she receives it, if the conditions [of Zakah] are fulfilled.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 169)

The Zakah on the wife of a debtor

According to the worldly life, the matters of a husband and wife may be very closely interrelated but in the case of Zakah, they are entirely separate. Therefore, no matter how heavily the husband is burdened with debt, Zakah will become Wajib upon the wife if the conditions for Zakah to become Wajib are fulfilled.

(Fatawa Razawiyyah, vol. 10, pp. 168; summarised)

THE RULING ON DAYN (DEBT)

The amount of our money which someone owes [to us] is called Dayn. Following are its three types and the ruling on each type is different:

1. Dayn-e-Qawee

The money we have lent to someone is called Dayn-e-Qawee, or we have sold trade goods on credit, or purchased a plot or house

¹ Being alone with one's own wife for the first time after marriage.

for the purpose of trade and rented it out and someone owes that rent [to us].

Ruling: Its Zakah will keep on becoming Fard every year but the payment will be Wajib when at least one-fifth part of the amount of the Nisab is received; then, Zakah of that one-fifth part will have to be given. For example, suppose that the Nisab is 50,000 rupees; when its one-fifth part, i.e. 10,000 rupees, is received, it will be Wajib to give its 1/40 part, i.e. 250 rupees, as Zakah. However, easiness lies in paying its Zakah also every year.

2. Dayn-e-Mutawassit

The money [to be received] in exchange for anything other than trade goods is called Dayn-e-Mutawassit, such as someone sold a chair, bed or other things used in his house and the buyer owes its price [to him].

Ruling: Its Zakah will be Fard as well but the payment will be Wajib when the complete amount equal to the Nisab is received.

3. Dayn-e-Da'eef [دَيْنٌ ضَعِيفٌ]

It is the money [to be received] in exchange for anything which does not fall into the category of 'Maal', such as Mahr, and rent for a house or a shop as it is [the money] in exchange for benefit, not in exchange for 'Maal'.

Ruling:

Zakah for it is not Fard for the previous years. When a person gains the possession of it and the conditions of Zakah are fulfilled, Zakah will be Fard on the completion of the year. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 281, summarised; Bahar-e-Shari'at, part 5, pp. 906*)

NO HOPE OF RECEIVING BACK THE AMOUNT OF DAYN

If the person who owes us Dayn (either Qawee or Da'eef) goes missing or denies that he owes us money and we don't even have witnesses; in short, if there remains no hope of receiving back the amount of Dayn, then it is not Wajib upon us to give Zakah. Fortunately, if he then returns the amount of Dayn, Zakah of the previous years will not be Fard in this case.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 218)

THE RULING ON THE REDUCTION IN MAAL AFTER ZAKAH HAS BECOME WAJIB

There are three cases of reduction in Maal [wealth]:

1. Istihlaak [اِسْتِهْلَاك]

It means a person's own action causes the loss of money; for example, he spent it, or threw it away, or gave it to any Ghani [Shari'ah-declared wealthy person] as a gift, or gave it as Sadaqah with the intention of a Nazr [vow] or Kaffarah [atonement] or any other Wajib Sadaqah. In this case, even if the entire Maal [wealth] is lost, nothing will stand remitted from Zakah; Zakah in full will have to be given. It is stated in *Fatawa*

If anyone wastes the Nisab, Zakah will not stand remitted.

Siraajiyah: If anyone wastes the Nisab, Zakah will not stand remitted. (*Fatawa Siraajiyah, Kitab-uz-Zakah, vol. 3, pp. 25*)

It is stated in *Durr-e-Mukhtar*: If a person makes the intention of Nazr or any other Wajib, it is correct but he will have to guarantee [to give] Zakah. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 225*)

2. Tasadduq [تَصَدَّقُ]

It means that if a person gives [his Maal as] Sadaqah having no specific intention or if he gives it to any needy Faqeer [Shari'ah-declared poor person] without making the intention of the payment of any Wajib or Nazr, Zakah will stand remitted in case he gives his entire Maal [wealth] as Sadaqah.

It is stated in *Fatawa 'Aalamgiri*: He who has given his entire Maal as Sadaqah and has not made the intention of Zakah, his Fard will stand remitted.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 171*)

However, if he gives some amount of Maal as Sadaqah, his Zakah will not stand remitted; he will have to give Zakah in full.

(*Fatawa Razawiyyah referenced, vol. 10, pp. 93*)

3. Halaak [هَلَكَ]

It means that [Maal] is destroyed or lost without a person's own action; for example, it is stolen, or he lends it to someone who later denies it and this lender does not even have witnesses, or the debtor dies without leaving estate, or the Maal was Dayn (i.e. debt) upon any Faqeer and this lender forgives it. Its ruling is that the Zakah of the amount which is lost stands remitted, and Zakah is Wajib for the remaining amount, even if it is less than the Nisab.

(*Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 91, 95*)

To whom can Zakah be given?

Zakah can be given to the following people: (1) Faqeer (2) Miskeen (3) 'Aamil (4) Riqaab (5) Ghaarim (6) Fee-Sabeelillah [فِي سَبِيلِ اللَّهِ] (7) Ibn Sabeel [ابْن سَبِيلٍ] (i.e. traveller).

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 187)

Their details

Faqeer: Someone (a) who owns something but does not own such amount that reaches the Nisab. (b) Or it is equal to or more than the Nisab but it is involved in his Haajat-e-Asliyyah (i.e. basic necessities of life); for example, the house in which a person lives, household items, riding animals (or a scooter or a car), the tools of workers, the clothes which a person wears, a male or female servant for services, Islamic books for a person having an occupation related to knowledge which are not more than his need. (c) Likewise, if a person is Madyoon (debtor) and the Nisab no longer exists after deducting the Dayn (debt), he will fall into the category of Faqeer, even if he owns one or several Nisabs. *(Rad-dul-Muhtar, vol. 3, pp. 333; Bahar-e-Shari'at, vol. 1, part 5, ruling no. 2, pp. 924)*

Miskeen: Someone who owns nothing. He needs to beg even food and clothes from people, and begging is Halal (lawful) for him. Begging without necessity and compulsion is Haraam for a Faqeer (i.e. the person who has food for at least one day and clothes to wear). *(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 187)*

‘Aamil: Someone whom the Islamic ruler has appointed for collecting Zakah and ‘Ushr¹. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 188*)

Note: In *Bahar-e-Shari’at*, Mufti Muhammad Amjad ‘Ali A’zami رَحْمَةُ اللهِ عَلَيْهِ has stated: An ‘Aamil can receive a fee for his work even if he is a Ghani but if he is a Hashimi, it is impermissible to give him from the amount of Zakah and it is also impermissible for him to receive it. However, if it is paid from any other amount, there is no harm in taking it. (*Bahar-e-Shari’at, vol. 1, part 5, ruling no. 6, pp. 925*)

Riqaab: This refers to a Mukaatab. The slave whose master agrees to free him if he pays a specific amount of money is known as a Mukaatab. Riqaab does not exist in the present era.

Ghaarim: It refers to a debtor. It means that he owes such amount of debt that the Nisab of Zakah no longer exists after paying debt, even if others also owe him money, provided that he does not have the power to collect it.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 339*)

Fee-Sabeelillah [فِي سَبِيلِ اللهِ]: It means to spend in the way of Allah عَزَّوَجَلَّ. Following are its cases:

1. Someone wants to go for Hajj but he does not have money for travel expenses; Zakah can be given to him as well but it is not permissible for him to ask people [for money] for Hajj.
2. Zakah can also be given to the student who acquires or wants to acquire Islamic knowledge. In fact, [such] a student can take

¹ The details of ‘Ushr have been mentioned later in the book.

Zakah even by asking for it, provided that he has dedicated his life only to this work, even if he is capable of earning.

3. Likewise, spending the Zakah for every virtuous act also falls into the category of 'فِي سَبِيلِ اللَّهِ' i.e. spending in the way of Allah 'عَزَّوَجَلَّ'. For Zakah, it is necessary to make the payee the owner; Zakah cannot be paid without making him the owner. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 335, 340; Bahar-e-Shari'at, vol. 1, part 5, ruling no. 14, pp. 926; summarised*)

Ibn Sabeel: It refers to a traveller who no longer has Maal [i.e. wealth] during his journey. He can take Zakah even if he has Maal at his home. However, he should only take such amount which satisfies his need; taking more than it is not allowed. If it is possible for him to borrow money [from someone], it is better to borrow it. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 188*)

Note: Mufti Muhammad Amjad 'Ali A'zami رَحْمَةُ اللَّهِ عَلَيْهِ has stated: For all the [aforementioned] people to whom Zakah can be given, it is a condition to be a Faqeer except for an 'Aamil, as being a Faqeer is not a condition for him, and [except for] an Ibn Sabeel (i.e. traveller) even if he is a Ghani, as the 'rulings for a Faqeer' are applicable to him in such state. Zakah cannot be given to anyone else who is not a Faqeer.

(*Bahar-e-Shari'at, vol. 1, part. 5, ruling no. 44, pp. 932*)

How can the person deserving of Zakah be identified?

Is the person to whom we want to give Zakah deserving of Zakah or not? Obviously, it is very difficult to investigate it completely. Therefore, if the payer strongly presumes that the person to whom Zakah is to be paid is deserving of Zakah (i.e. he fulfils the

conditions of payment of Zakah), he may pay it, Zakah will be [regarded as] paid; if the payer does not predominantly presume, he should not give it. (*Fatawa Amjadiyyah, vol. 1, pp. 374*)

What if it is discovered after paying the Zakah that the payee was not deserving of Zakah?

If a person pays Zakah after predominantly presuming that [the payee] is deserving [of Zakah] but it is discovered afterwards that the payee was Ghani or [the payee] was the payer's father, mother, child, husband or wife, or [the payee] was a Hashimi, slave of a Hashimi, or Zimmi (Kafir), Zakah will be regarded as paid; and if it is discovered that [the payee] was the payer's own slave or a Harbi (Kafir), it will not be regarded as paid. If a person gives Zakah without contemplating and then it is discovered that the payee was not deserving of Zakah, Zakah will not be regarded as paid. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 190; Bahar-e-Shari'at, vol. 1, part 5, pp. 932*)

Do the Safeers of Madrasahs also fall into the category of 'Aamil?

The Shar'i Qadi [judge] has the authority to appoint an 'Aamil. If he is not there, this authority is possessed by the greatest 'Aalim [Islamic scholar] of a city whom the Muslims consult regarding their religious matters. Therefore, if the Safeers¹ of Madrasahs have been appointed by such aforementioned 'Aalim, they will be regarded as 'Aamils, otherwise not. (*Fatawa Faqeeh-e-Millat, vol. 1, pp. 323, 327*)

¹ People who collect charity for Madrasahs.

People to whom Zakah cannot be given

Zakah cannot be given to the following Muslims, even if they are Shar'i Faqeer:

1. Banu Hashim (i.e. blessed Sayyids), whether the payer is a Hashimi or non-Hashimi.
2. A person's lineal ascendants (i.e. the Zakah-payer is amongst their descendants) such as the mother, father, paternal grandfather, paternal grandmother, maternal grandfather, maternal grandmother, etc.
3. A person's lineal descendants (i.e. those who are amongst the Zakah-payer's descendants) such as the son, daughter, grandson, granddaughter, maternal grandson, maternal granddaughter, etc.
4. Husband and wife cannot give Zakah to one another.
5. Na-Baaligh¹ children of a Ghani person (as, they are regarded as Ghani because of their father).

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 344, 349, 350; Fatawa Razawiyyah, vol. 10, pp. 109)

Relatives to whom Zakah can be given

Zakah can be given to the following relatives provided that they are deserving of Zakah: (1) Sister (2) Brother (3) Paternal uncle (4) Paternal aunt (5) Maternal aunt (6) Maternal uncle (7) Daughter-in-law (8) Son-in-law (9) Stepfather (10) Stepmother (11) Stepchildren of a woman (12) Stepchildren of a man.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 110)

¹ A child who has not yet reached puberty.

The slaves to whom Zakah cannot be given

Mamlook-e-Shar'i (i.e. Shari'ah-declared slave) does not exist in the present era. However, Zakah cannot be given to the following slaves: (1) The slave of a Hashimi, even if he is a 'Mukaatab' (2) The slave freed by a Hashimi (3) 'Non-Mukaatab' slave of a Ghani person (4) The slave of one's wife, even if he is a 'Mukaatab' (5) The slave of one's husband, even if he is a 'Mukaatab' (6) The slave of one's lineal ascendants, even if he is a 'Mukaatab' (7) The slave of one's lineal descendants, even if he is a 'Mukaatab' (8) One's own slave, even if he is a 'Mukaatab'.

(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 109)

Slaves to whom Zakah can be given

Zakah can be given to the following slaves provided that they are deserving of Zakah:

1. The slave freed by a non-Hashimi
2. Even if it is one's own [slave]
3. The 'Mukaatab' slave of a Ghani person, except for the following: One's own or [the Mukaatab slave of] one's lineal ascendants (mother, father, paternal grandfather, paternal grandmother, maternal grandfather, maternal grandmother), [the Mukaatab slave of] one's lineal descendants (son, daughter, grandson, granddaughter, maternal grandson, maternal granddaughter), [the Mukaatab slave of the] husband, wife and 'Hashimi'.

(Fatawa Razawiyah, vol. 10, pp. 110)

Giving Zakah to one's divorced wife

If a person divorces his wife, he cannot give [her Zakah] during her 'Iddat period but can give it once her 'Iddat period ends. (*Durr-e-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 345; Bahar-e-Shari'at, vol. 1, part 5, ruling no. 26, pp. 928*)

Giving Zakah to the wife or father of a Ghani person

Zakah can be given to the wife of a Ghani person provided that she is not the owner of Nisab. Likewise, Zakah can be given to the father of a Ghani person provided that he is a Faqeer [Shari'ah-declared poor person]. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 189*)

Na-Baaligh children of a Ghani mother

Zakah can be given to the Na-Baaligh children of a Ghani mother provided that their father has died, as a child is regarded as Ghani because of the Ghani father, not because of the mother.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 349*)

The woman whose husband owes her Mahr

Zakah can be given to the woman whose husband owes her Mahr, even if it is equal to or more than the Nisab, or even if the husband is wealthy and capable of paying it. (*Al-Jauhara-tun-Nayyirah, pp. 167*)

Giving Zakah to a Kafir

Zakah will not be regarded as paid if given to a Kafir [unbeliever]. (*Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 290*)

Giving Zakah to a heretic

Giving Zakah to a heretic is Haraam [prohibited] and Zakah will not be regarded as paid if given to him.

(Fatawa Razawiyyah referenced, vol. 10, pp. 290)

Giving Zakah to a student

Zakah can be given to such students [of Islamic knowledge] who are not the owner of Nisab. In fact, it is Afdal [better] to give it to them provided that they acquire knowledge of Deen, as Deen.

(Fatawa Razawiyyah referenced, vol. 10, pp. 253)

Giving Zakah to the Imam of a Masjid

“

However, reverence for an ‘Aalim should be kept in mind while giving him Zakah...

”

Zakah cannot be given to the Imam of a Masjid if he is not a Shar’i Faaqeer or if he is a Sayyid. Zakah can be given [to him] if he is a Shar’i Faaqeer and not a Sayyid. In fact,

it is Afdal [better] to give it to him if he is also an ‘Aalim. However, reverence for an ‘Aalim should be kept in mind while giving him Zakah and the payer should give it with respect, just like a younger person gifts something to elders. مَعَادَ اللَّهِ, feeling disdain [for the ‘Aalim] in the heart while giving him Zakah is a cause of destruction. *(Derived from: Bahar-e-Shari’at, vol. 1, part 5, pp. 924)*

It is stated in *Fatawa 'Aalamgiri*: Giving Sadaqah to a Faqeer who is an 'Aalim is Afdal [better] than giving Sadaqah to a Faqeer who is not an 'Aalim. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 187*)

The payment of salary to the Imam of a Masjid from the amount of Zakah

Salary cannot be paid to the Imam of a Masjid from the amount of Zakah because salary is [given] in exchange for services and Zakah is purely for the pleasure of Allah عَزَّوَجَلَّ. If other resources are not available, it can be given after [performing] Shar'i Heelah [i.e. alternative method]. (*Derived from: Fatawa Amjadiyyah, vol. 1, pp. 376*)

Mother is Hashimi and father, a non-Hashimi

If someone's mother is a Hashimi or even if she is Sayyidah but his father is not a Hashimi, then he is not a Hashimi, as according to Shari'ah, Nasab [genealogy] is from the father. Therefore, Zakah can be given to such person if there isn't anything else which serves as an obstacle. (*Bahar-e-Shari'at, vol. 1, part 5, ruling no. 41, pp. 931*)

Why the Zakah cannot be given to the blessed Sayyids?

Zakah cannot be given to the blessed Sayyids and other Banu Hashim as Zakah is Haraam-e-Qat'ee [absolutely prohibited] for the blessed Sayyids and other Banu Hashim, and there is Ijma' [consensus of opinion] of the leading 'Ulama of all the four schools of Islamic Jurisprudence (i.e. Hanafi, Shaafi'i, Hanbali and Maliki) on this matter. It is stated in *Fatawa Razawiyyah*: There is a unanimous agreement of the Aimmah Arba'ah¹ that taking Fard

¹ Founders of the four schools of Islamic Jurisprudence

Sadaqah is Haraam for Banu Hashim and Banu ‘Abdul Muttalib.
(*Fatawa Razawiyyah, vol. 10, pp. 99*)

Who are the Banu Hashim?

Banu Hashim and Banu ‘Abdul Muttalib refer to five families, Aal-e-‘Ali [the blessed descendants of Sayyiduna ‘Ali رَضِيَ اللهُ عَنْهُ], Aal-e-Abbas, Aal-e-Ja’far, Aal-e-‘Aqeel, and Aal-e-Haaris Bin Abdul Muttalib. The rest who did not support the Holy Nabi صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ, such as Abu Lahab, his descendants will not be regarded as Banu Hashim, although this Kafir [unbeliever] was also the son of Sayyiduna ‘Abdul Muttalib. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 189; Bahar-e-Shari’at, vol. 1, part 5, ruling no. 39, pp. 931*)

Wisdom behind not giving Zakah to the Banu Hashim

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated: These Sadaqahs are the impurities of people, neither are they Halal [i.e. lawful] for Muhammad (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ) nor for the descendants of Muhammad (صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ). (*Sahih Muslim, Kitab-uz-Zakah, pp. 540, Hadees 1072*)

*People become
clean from the
water we use;
why do we take
someone’s
impurity!*

In the explanation of the aforementioned Hadees, Mufti Ahmad Yar Khan Na’eemi رَحْمَةُ اللهِ عَلَيْهِ has stated: This Hadees is so clear and explicit that there cannot be any Taweel [i.e. figurative interpretation] of it. It means: It is Haraam for me and my descendants to take Zakah because it is the impurity of Maal [wealth]. People become

clean from the water we use; why do we take someone’s impurity!

(*Mirat-ul-Manajih, vol. 3, pp. 46*)

The way to help Sayyids

First of all, wealthy people should support these blessed people out of their own pocket [presenting them money] as Hadiyah [a gift], and they should remember the time when even the eyes will find no refuge except for [seeking refuge with] the respected Grandfather صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ of these blessed Sayyids. The wealth that you have received from the blessed court of Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ and the wealth that you will soon leave behind and go to your grave; what would be a greater privilege than spending it on his blessed descendants for his pleasure. However, if such arrangement cannot be made in a certain area, make anyone who is deserving of Zakah the owner of the Zakah and give it into his possession. Then, advise him to present it to a Sayyid Sahib.

(Fatawa Amjadiyyah, vol. 1, pp. 390; summarised)

Giving Zakah to beggars

There are three types of beggars:

1. **Ghani:** Begging is Haraam for them and giving them is also Haraam. Zakah will not be regarded as paid if given to them as they are not deserving of Zakah.
2. **A Faqeer who is healthy and capable of earning:** These people are habitual of begging and sponging off others despite being capable of earning as per their needs. Begging is Haraam for such professional beggars and whatever they get is Maal-e-Khabees [impure wealth] for them, which is Wajib to be returned to the owner or to be given as Sadaqah [charity]. However, if anyone gives them Zakah, it will be regarded as

paid because they are Shar'i Faqeers, provided that there isn't anything else which serves as an obstacle for Zakah.

3. **A Faqeer who is not capable of earning:** These people are either not capable of earning or cannot earn as per their needs. Begging is Halal for them only as per their need and whatever they get is Halal for them. Zakah will be regarded as paid if given to them.

(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 253)

Giving Zakah for a Madrasah or Jami'ah

If a Madrasah or Jami'ah is run by the people of truth, not by the heretics, Zakah can be given there on the condition that the administrator keeps this amount separately and spends it only by transferring the ownership to a Faqeer. For example, give it as a stipend that is given to the students for helping them, or purchase books or clothes and make the students their owner, or purchase medicine in case they fall ill and make them its owner. The salary of teachers or other staff cannot be given from this amount because salary is [given] in exchange for services and Zakah is purely for the pleasure of Allah عَزَّوَجَلَّ.

Moreover, neither can it be used for construction or any other similar purpose nor for the food prepared for the students because they are provided with food just for eating, they are not made its owner; but it will be correct if food is given by making them the owner. However, if the amount of Zakah is given to any Masraf-e-Zakah [a person deserving of Zakah] with the intention of Zakah and he is made its owner, then he gives it to a Madrasah or Jami'ah

by his own will, then this amount can now be used for [giving] the salary of teachers, for construction, etc.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 254)

Do inform while giving Zakah

Many Islamic brothers send the amount of Zakah to Madaris and Jami'at. They should inform the administrator of the Madrasah that the amount is the 'amount of Zakah' so that the administrator keeps that amount separate, not mixing it with any other amount, spends it on poor students and does not give it as a wage or salary to anyone; otherwise, Zakah will not be regarded as paid.

Giving the total amount of Zakah to a single person

The Zakah-giving person has the choice that if he wishes, he may distribute the amount of Zakah amongst all the Masarif-e-Zakah [people of all Zakah-deserving categories], giving each a little; or if he wishes, he may give it to a single person. If the amount being given as Zakah is not equal to or more than the Nisab, it is Afdal [better] to give it to a single person and if it is equal to or more than the Nisab, giving it to a single person is Makruh; however, Zakah will still be regarded as paid. Giving such an amount which is equal to or more than the Nisab to a single person is Makruh when that Faqeer is not Madyoon [someone who owes money]. If he is Madyoon, then it is not Makruh to give such amount if nothing remains after deducting the Dayn [money he has to pay someone] or the amount less than the Nisab is left. Likewise, if that Faqeer has family, there is no harm even if the amount is equal to or more than the Nisab, provided that if the amount is divided by

the number of family members, everyone will receive less than the Nisab. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 188; summarised*)

What amount of Zakah is it Mustahab to give to one person?

It is Mustahab to give such amount to one person that he does not need to beg that day, and this is different according to the condition of that Faqeer. Give him by considering his food requirements, the number of his family members and other such factors.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 358*)

To whom is it Afdal to give Zakah?

Brothers and sisters have the first right [to receive Zakah] if they are poor, then their children have the right, then the paternal uncles and aunts, then their children, then the maternal uncles and aunts, then their children, then Zawil-Arhaam (those relatives who are related to one's mother, sister, wife or daughters), then neighbours, then the fellows of the same occupation as of Zakah-giving person, and then the people of one's city (i.e. where one's wealth is present). (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, pp. 190*)

To whom should a Sayyid give Zakah?

It is Afdal [better] to give Zakah to a close relative but to whom should a Sayyid give Zakah because his close relative will also be a Sayyid? Replying to this question, A'la Hadrat Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: Indeed, it is Afdal to give Zakah and other Sadaqahs to one's close relatives and there is double reward for it, but this applies only if it is also permissible to give that Sadaqah to close relatives. (*Fatawa Razawiyah referenced, vol. 10, pp. 287*)

Can the owner of many books take Zakah?

If someone owns many books and those books are included in his Haajat-e-Asliyyah [i.e. basic necessities of life], he can take Zakah even if they are worth hundreds of thousands. A person cannot take Zakah if they are not included in Haajat-e-Asliyyah and their worth is equal to or more than the Nisab. Following are the details regarding this matter:

- The books of Fiqh [Islamic Jurisprudence], Tafseer and Hadees are included in Haajat-e-Asliyyah for knowledgeable people (i.e. those people who need these books for studying, teaching, or correction) but they are not included in Haajat-e-Asliyyah for others. If there are more than one copies of the same book, then these [additional copies] are not included in Haajat-e-Asliyyah, even for knowledgeable people.
- The books written to prove the Kuffar [unbelievers] and heretics wrong and those written to support [the beliefs of] Ahl-us-Sunnah and books related to Fard 'Uloom are included in Haajat-e-Asliyyah for both, an 'Aalim and a non-'Aalim.
- If an 'Aalim keeps the books of heretics to prove them wrong, they will be included in his Haajat-e-Asliyyah. For a non-'Aalim, it is not permissible to read them even a bit.
- For a non-Hafiz, the Holy Quran is included in Haajat-e-Asliyyah but not for a Hafiz-e-Quran¹ (provided that his Hifz-e-Quran is good).

¹ Person who has memorised the Holy Quran.

- Medical books are included in Haajat-e-Asliyyah for a doctor provided that he studies them or needs to refer to them. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 217; Bahar-e-Shari'at, vol. 1, part 5, pp. 882*)

What if a Ghani person takes Zakah?

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said, 'Zakah will not mix with any Maal [wealth] but will destroy it.' Imam Ahmad رَحْمَةُ اللهِ عَلَيْهِ has

*Zakah will
not mix with
any Maal
[wealth] but
will destroy it.*

stated the following meaning of this Hadees: If a wealthy person takes Zakah, it will destroy his (rest of the) wealth.

(*Attargheeb Wattarheeb, Kitab-us-Sadaqaat, vol. 1, pp. 309, Hadees 18*)

Zakah is for the Faqeers; it is Haraam for a Ghani person to take Zakah and an act that leads towards Hell. Such person will have to face the difficulties of grave, difficulties of the

Day of Judgement and Meezan [balance], and punishments of Hell because of this Haraam wealth.

(*Fatawa Razawiyah referenced, vol. 10, pp. 261; summarised*)

The person who owns 6 Tolas of gold!

The person who owns 6 Tolas or such amount of gold whose worth is equal to [or more than] the price of 52.5 Tolas of silver, he cannot take Zakah, even though Zakah is not Fard upon him as the Nisab of gold is 7.5 Tolas.

(*Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 27, pp. 929*)

Having possessions more than Haajat-e-Asliyyah

The person who has such possessions more than his needs which are neither Maal-e-Naami [i.e. the wealth that grows] nor for trade and their worth is equal to [or more than] the price of 52.5 Tolas of silver, Zakah cannot be given to him, even though Zakah is not Wajib upon him.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 27, pp. 929)

Woman who owns a huge amount of dowry!

A woman is the owner of the dowry that she receives from her parents. It consists of two types of items:

1. Items which fulfil the needs such as household items, clothes which a person wears and crockery in use. A woman is not Ghani because of these types of items, no matter how costly they are.
2. Those items which are more than Haajat-e-Asliyyah and are given for adornment such as jewellery, 'crockery and other items' other than one's needs, and expensive and precious clothes worn in gatherings. A woman is Ghani and cannot take Zakah if the price of these items is equal to or more than the Nisab.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 347)

Someone who owns pearls and jewels

If anyone owns jewels such as pearls, etc. but they are not for the purpose of trade, their Zakah is not Wajib. However, such person cannot take Zakah if their value is equal to or more than the Nisab.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 37, pp. 930)

Someone who owns expensive winter clothes!

Winter clothes which are not needed in summer are included in Haajat-e-Asliyyah. The person [who owns these clothes] can take Zakah even if these clothes are expensive.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 35, pp. 930)

Person who owns a very large house!

The person who owns a house in which he lives which is more than his need, i.e. he has not occupied the entire house for his residence; such person can take Zakah.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 347)

The person who has a garden in his house!

The person who has a garden in his house whose value is equal to or more than the Nisab and the basic requirements of a house such as a kitchen, bathroom, etc. are not there in the garden, then it is not permissible for him to take Zakah.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 189)

Is it permissible for a wealthy person to take Sadaqah?

There are 2 types of Sadaqah, Wajib Sadaqah and Nafil Sadaqah. It is Haraam for a wealthy person to take Wajib Sadaqah and giving it to him is also Haraam. Moreover, Zakah will not be regarded as paid if given to him. For Nafil Sadaqah, it is Haraam for a wealthy person to take it by asking for it, and it is not suitable [to take] if he gets it without asking for it provided that the giver gives it, knowing that the taker is a wealthy person. If the giver gives it considering him a needy person, taking it is Haraam, and if the

taker pretends to be a needy person in order to take it, it is another Haraam. However, it is permissible even for a Ghani person to take those Nafl Sadaqahs which are offered to the general public such as the water of Sabeel¹, sweets of Niyaz², etc. provided that taking them does not bring disgrace upon him.

(Fatawa Razawiyyah referenced, vol. 10, pp. 261)

What if a non-deserving person takes Zakah?

In case a non-deserving person has taken Zakah and afterwards he regrets, then if the giver has given Zakah after pondering and he was unaware that the taker is not a Zakah-deserving person, Zakah will still be regarded as paid, but it was Haraam for the taker to take it because he was not deserving of Zakah. The ownership acquired of the Maal [wealth] which one does not deserve is known as 'Milk-e-Khabees [impure ownership]' and its ruling is: that amount of Maal [wealth] should be given as Sadaqah.

THE PAYMENT OF ZAKAH

Conditions of the payment of Zakah

There are two conditions for the payment of Zakah to become valid:

1. Niyyat [intention]
2. Making the Zakah-deserving person its owner

It is stated in *Al-Ashbah wan-Naza'ir*: The payment of Zakah is not valid without intention. (*Al-Ashbah wan-Naza'ir*, pp. 19)

¹ Arrangement for providing water to people as an act of earning Sawab.

² Food served for Isal-e-Sawab.

Niyyat means that if the Zakah-giving person is asked [about the payment], he is able to tell instantly without hesitation that it is Zakah.

Forgetting to make intention while giving Zakah

If that wealth is given as Zakah which had already been separated with the intention of Zakah, the payment of Zakah is valid even if while giving, one does not remember [that he is giving] Zakah. If this is not the case, the Zakah-giving person can make the intention of Zakah as long as [that wealth] is in the possession of the needy person. If he also does not have it, the intention cannot be made now; the wealth given will be Nafil Sadaqah.

It is stated in *Durr-e-Mukhtar*: It is necessary for the payment of Zakah to become valid that the intention is Muttasil [i.e. present] at the time of payment, whether this Ittisaal [being present] is Hukmi, for example, someone pays Zakah without making the intention but makes intention while that amount of wealth is still in the possession of the Faqeer, or he makes intention while separating the total or some amount of wealth for Zakah.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 222, 224)

The words of Zakah

It is not necessary to say the words of Zakah while paying it; just having the intention in the heart is sufficient, even if the person says something else. It is stated in *Fatawa Shaami*: There is no significance of mentioning the term [of Zakah]. Even if someone states Zakah to be Hibah [a present], gift or debt, his Zakah will be regarded as paid according to the most authentic opinion.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 222)

Delaying the payment of Zakah

It is Wajib to pay Zakah immediately once it becomes Fard and it is a sin to delay its payment without any Shar'i reason.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, pp. 170)

Should Zakah be given at one go or little by little?

If Zakah is paid in advance before the completion of the year, both methods are correct whether one gives it little by little or at one go. However, if Zakah becomes Fard upon completion of the year, it is Wajib to pay it immediately; a person will become a sinner on delaying its payment. Therefore, it is now necessary to give Zakah at one go. *(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 75)*

Give Zakah at one go

After the completion of the year, give Zakah at one go because giving it little by little may also cause other types of harm besides making a person sinner. For example, it is possible that such person departs this life while carrying the burden of not paying Zakah on his shoulders, or he may not have wealth [in the future] for paying Zakah. It is also possible that the person may not have the same firm intention of paying Zakah in the future that he has at present because Satan circulates in a human like blood.

The intention may have changed!

Sayyiduna Imam Muhammad Baaqir رَحْمَةُ اللهِ عَلَيْهِ had a beautiful coat stitched. He entered the bathroom where he had a thought to give the coat in the way of Allah عَزَّوَجَلَّ. He called his servant immediately who came near the wall. He رَحْمَةُ اللهِ عَلَيْهِ gave the blessed coat [to the

servant and ordered him] to go and give it to a certain needy person. When he رَحْمَةُ اللَّهِ عَلَيْهِ came outside, the servant humbly asked, ‘What was the reason for such great haste?’ He رَحْمَةُ اللَّهِ عَلَيْهِ responded, ‘There was a possibility that my intention might have changed while I came out.’ (*Fatawa Razawiyyah, vol. 10, pp. 84*)

اللَّهُ! سُبْحَانَ اللَّهِ! It demonstrates the cautiousness of those people who were purely righteous and ascetic, and were brought up by the greatly pious people. May Allah عَزَّوَجَلَّ give us the privilege of following in their footsteps.

أَمِينٌ بِجَاهِ النَّبِيِّ الْأَمِينِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ

Will the responsibility be fulfilled by separating the amount of Zakah?

The responsibility [of paying Zakah] will not be fulfilled by merely separating Zakah. In fact, it will be fulfilled by delivering it to the Fuqara [Shari’ah-declared poor people].

(*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 222, 224*)

Giving Zakah in Ramadan-ul-Mubarak

Once the year [of Zakah] completes, it is Wajib to pay Zakah immediately and delaying it is a sin; no matter whichever month it may be. If someone wishes to pay the Zakah in advance before the completion of the year, it is better to pay it in Ramadan-ul-Mubarak. In this month, the Sawab [reward] of Nafil is equal to the Sawab of Fard and Sawab of Fard is equal to the Sawab of seventy Fard. (*Fatawa Razawiyyah referenced, vol. 10, pp. 183*)

Openly or secretly

It is better to give Zakah openly provided that there is no risk of pretentiousness, so that others are persuaded and also, they do not have evil presumption about this person that he does not give Zakah. However, there is no harm in giving it secretly as well. In fact, if the Zakah-receiving person is such a self-respecting person that he will feel disgrace by taking it openly, it is better to give him secretly. (*Fatawa Razawiyyah referenced, vol. 10, pp. 158; Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 171*)

Expressing favour after giving Zakah

One should not hurt someone by expressing favour after giving Zakah as insulting someone in this way deprives him of Sawab. Allah عَزَّوَجَلَّ has stated:

لَا تُبْطِلُوا صَدَقَاتِكُمْ بِالْمَنِّ وَالْأَذَى

Do not invalidate your charity by boasting of favours and by causing anguish.

[Kanz-ul-Iman (translation of Quran)] (Part 3, Surah Al-Baqarah, Ayah 264)

Making the intention of Zakah after giving charity for the whole year

After giving charity for the whole year, one cannot consider it as Zakah because it is a necessary condition [to have the] intention of Zakah while giving Zakah or while separating the wealth for Zakah.

(Derived from: Bahar-e-Shari'at, vol. 1, part 5, ruling no. 54, pp. 886)

However, if the wealth given as charity is still in the possession of the Faqeer and has not been used up or destroyed, the giver can make the intention of Zakah.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 161)

What if someone dies before giving Zakah?

If someone separates the wealth with the intention of the payment of Zakah and then he passes away, this wealth will be included in his estate and the laws of inheritance will be applicable to it.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 225)

Is it necessary that the Zakah-receiving person knows about it?

Zakah will be regarded as paid, even if the Zakah-receiving person does not know about it because it is not necessary that he knows that it is Zakah. Instead, the intention of the Zakah-giving person will be considered. It is stated in *Ghamz 'Uyoon-il-Basa'ir*: The intention of the Zakah-giving person is considered, not the knowing [of this fact] by the person to whom Zakah is being given. *(Ghamz 'Uyoon-il-Basa'ir, Sharh Al-Ashbah wan-Naza'ir, Kitab-uz-Zakah, vol. 1, pp. 447)*

Knowing the amount of Zakah for the validity of its payment

For the validity of the payment of Zakah, it is not one of the conditions to know the correct amount that is Wajib. Therefore, Zakah will be regarded as paid. *(Fatawa Razawiyyah, vol. 10, pp. 126)*

Giving Zakah as loan

Zakah will be regarded as paid if it is given to someone by stating it to be a loan. Afterwards, considering that Zakah to be really a loan,

if that person comes to return it, the Zakah-giving person cannot take it back, even if he is a needy person himself at that time because Zakah cannot be taken back once it is given. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated, ‘After giving Sadaqah [charity], do not take it back.’ (*Sahih Bukhari, Kitab-uz-Zakah, vol. 1, pp. 502, Hadees 1489; Fatawa Amjadiyyah, part 1, pp. 389*)

Giving Zakah to a small child

For making someone an owner, it is a condition that the taker [of Zakah] should be sensible and mature enough who knows about possession and does not get cheated. Therefore, if Zakah is given to a small child who knows about possession and does not throw it away, Zakah will be regarded as paid, otherwise not; or the child’s father, Wali¹, any relative, etc. should be present with him who takes possession of it on his behalf. In this case also, Zakah will be regarded as paid, and that child will be its owner.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 204; summarised*)

Remitting a house rent with the intention of Zakah

If a person rents out a house and remits the rent, Zakah will not be regarded as paid because for the payment of Zakah, it is a condition to make [someone] the owner of the Maal [i.e. amount] of Zakah whereas in this case, the tenant has been made the owner of the benefit of residence only, not of the Maal [i.e. amount of Zakah].

¹ Wali is a person specified by Shari’ah whose decision is enforced on someone, whether he accepts it willingly or not. (*Bahar-e-Shari’at, vol. 2, part 7, pp. 42*)

However, if the tenant is deserving of Zakah, give him the amount of Zakah with the intention of Zakah and make him its owner, then receive it as rent; Zakah will be regarded as paid.

(Derived from: Bahr-ur-Ra`iq, Kitab-uz-Zakah, vol. 2, pp. 353)

Forgiving debt

Zakah will not be regarded as paid if a person forgives someone's debt and makes the intention of Zakah.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 226)

Including a forgiven debt for Zakah

If a person forgives someone's debt, will the forgiven amount also be included in the Nisab or not?

There are its two cases:

1. If a person forgives the debt of a Ghani [i.e. Shari'ah-declared wealthy person], he will have to give the Zakah of this [forgiven] amount as well.
2. If a person forgives the debt of a Shar'i Faqeer, the Zakah of that particular amount will stand remitted.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 226; summarised)

Paying someone's debt as Zakah

If a person pays someone's debt without obtaining his permission, Zakah will not be regarded as paid. For this purpose, it is better to give this amount of money to that person with the intention of Zakah. Thereafter, he may pay his debt if he wishes or spend it for any other purpose.

(Derived from: Fatawa Razawiyah referenced, vol. 10, pp. 74)

Ruling on giving clothes to orphans

Clothes can be prepared and given to orphans from the amount of Zakah, provided that they are made the owner of those clothes and they are also deserving of Zakah. (*Fatawa Fayz-ur-Rasool, vol. 1, pp. 495*)

Purchasing books from the amount of Zakah

Books can be purchased and given from the amount of Zakah provided that the takers are deserving of Zakah and they are made the owners; otherwise, Zakah will not be regarded as paid.

(*Fatawa Amjadiyyah, vol. 1, pp. 372*)

What if religious books are got printed with the amount of Zakah and distributed?

There is no doubt that getting religious books printed is an act of great Sawab-e-Jariyah [reward that keeps on increasing] but for this purpose, first make any person who is deserving of Zakah such as a Faqeer its owner, then he may give it for printing the books.

(*Fatawa Razawiyyah referenced, vol. 10, pp. 256*)

Keeping the amount of Zakah in a box of sweets

Suppose an amount of money is given to someone as Zakah by keeping it in a bag of flour, a box of sweets, etc. If the giver makes the Faqeer the owner of both, the amount of money and flour or sweets, and the Faqeer also takes possession of the bag of flour, Zakah will be considered as paid even if the Faqeer does not know about the amount of money present in the bag or box because for possession, it is not a condition to know about those things being taken into possession. (*Fatawa Amjadiyyah, vol. 1, pp. 374*)

Impermissible Heelah of taking the amount of Zakah back

After giving someone an amount of money as Zakah by keeping it in a bag of flour, box of sweets, etc., if the giver purchases the same bag or box at a certain price, that amount of money is Haraam for this person because the Faqeer has sold only the bag of flour or box of sweets, not the money. (*Fatawa Amjadiyyah, vol. 1, pp. 374*)

Paying the fees of a lawyer

The amount of Zakah cannot be given as fees to the lawyer of a poor person because making someone the owner is a condition for Zakah. If that poor person is deserving of Zakah, Zakah should be given to him first; then he may pay the fees of the lawyer if he wishes or spend it for any other purpose.

The amount of Zakah cannot be given as fees to the lawyer of a poor person...

(Derived from: *Fatawa Razawiyyah referenced, vol. 10, pp. 291*)

Giving Zakah as a gift

On marriage or any other occasion, if someone wishes to make the intention of Zakah for giving clothes or gifts, these can be given with the intention of Zakah if the taker is deserving of Zakah; Zakah will be considered as paid. (*Fatawa Amjadiyyah, vol. 1, pp. 387*)

Purchasing grain with the amount of Zakah and distributing it

If a person distributes food after cooking it or grain after purchasing it amongst the poor and makes them the owner while giving it to them, Zakah will be considered as paid. However, the

cost of cooking the food will not be included in Zakah; instead, the market price of the cooked food will be considered as Zakah. Moreover, if the food is only served like a feast, Zakah will not be considered as paid because of not making an owner.

(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 262)

What if a person sells grain at a discounted price to the needy and makes the intention of Zakah?

If a person purchases grain and sells it to the people who are deserving of Zakah at a discounted price and considers the amount that is decreased to be Zakah, Zakah will not be considered as paid because this is a form of discount, [the condition of] making an owner is missing here. Instead, the person should sell the grain to ‘Aaqil [sane] and Baaligh¹ people who are deserving of Zakah at the original price, for example, Rs 50/kg. He should first give the amount of money he intends to reduce as a discount, for example 5 rupees as Zakah out of his own pocket and after the taker takes its possession, this amount may be received as the price. In this way, Rs 5/kg have been paid as Zakah; add this amount and include it in Zakah. *(Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 72)*

Being doubtful about paying Zakah

A person should pay Zakah if he is doubtful that whether he has [already] paid Zakah or not.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 228)

¹ Person who has reached puberty.

Giving less amount of Zakah unknowingly

If a person unknowingly pays less amount of Zakah, the amount of Zakah given will be considered as paid because for the payment of Zakah, [having] intention is a necessary condition but knowing the correct amount of Zakah is not a condition. However, this person will become a sinner because it is a sin to delay the payment of Zakah. He should repent and pay the remaining amount of Zakah after making calculation.

(Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 126)

Making a Wakeel for paying Zakah

It is permissible to make someone a Wakeel [representative] for the payment of Zakah.

(Derive from: Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 224)

Should the Wakeel know about Zakah?

It is not necessary to tell the Wakeel about Zakah. If a person has the intention of Zakah in his heart and tells the Wakeel that it is Nafil Sadaqah¹, any other form of charity, Eidi², or a loan, and asks him to give it to a certain person; even then, Wakalat [making representative] is valid. However, it is better to tell him so that he can take into account the conditions of payment [of Zakah].

(Derived from: Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 223)

¹ Non-obligatory charity

² Money given as a gift on the occasion of Eid in some Eastern countries

Should the Wakeel also make the intention of Zakah?

If the owner [of the wealth] gives it to the Wakeel with the intention of paying Zakah, there is no need for the Wakeel to make the intention again because the intention of the owner is present.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 222; summarised)

Making the intention of Zakah after making a Wakeel for Nafil Sadaqah

If a person says to the Wakeel while giving [him an amount] that it is Nafil Sadaqah or Kaffarah [expiation] but he makes the intention of Zakah before the Wakeel gives it to the Faqeer, it will be considered as Zakah even if the Wakeel has given it to the Faqeer with the intention of Nafil or Kaffarah.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 223)

Mixing the amount of Zakah of different people

If the Zakah-giving people explicitly give permission for mixing [Zakah] or if it is 'Urf [usual practice] to do so and the Zakah-giving people are aware of this 'Urf, then the Wakeel can mix the amount of Zakah of different people together, otherwise not.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 223; summarised)

Can the Wakeel make someone else a Wakeel?

A Wakeel can also make someone else a Wakeel. *(Ibid, pp. 224)*

Can the Wakeel give Zakah to anyone?

If the Zakah-giving people give permission unconditionally that the Wakeel may give it to any Masraf-e-Zakah [person of any

Zakah-deserving category] he wishes, he may give it to anyone according to his wish. If the Zakah-giving people ask him to give it to any specific Masraf, he will have to give it only to that particular Masraf. It is stated in *Fatawa Shaami*: If the Zakah-giving person states to give the amount of Zakah to a certain person, the Wakeel does not have the authority to give the amount of Zakah to anyone else other than that specific person. (*Ibid*)

Can the Wakeel keep the amount of Zakah himself?

If the Zakah-giving people give permission unconditionally that the Wakeel may give it to anyone he wishes, he can keep the amount of Zakah himself provided that he is deserving of Zakah, otherwise not. It is stated in *Durr-e-Mukhtar*: It is permissible for the Wakeel to give Zakah to his Faqeer son or wife but he cannot keep it himself. However, if the Zakah-giving person states that the Wakeel may give it to any Masraf-e-Zakah he wishes, it is permissible for his own self as well provided that he is a Faqeer.

(*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 224*)

PAYING ZAKAH IN ADVANCE

Zakah can be given in advance but following are its two conditions:

1. The Zakah-giving person should be the owner of the Nisab
2. The Nisab should be complete upon the completion of the year

If any of these two conditions is not fulfilled, the wealth given will be considered as Nafil Sadaqah.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 176*)

The method of making calculation in advance

Those Islamic brothers or Islamic sisters who own the Nisab and wish to give Zakah little by little in advance should make a rough estimation of the total Maal-e-Zakah¹ (gold, silver, currency notes, trade goods, etc.) they have. Then, as Zakah, separate 2.5% of the price of the total Maal-e-Zakah. Thereafter, the amount of Zakah should be divided by 12 if they wish to give it monthly, it should be divided by 48 if they wish to give weekly, and by 360 if they wish to give it daily. When the year completes, make the accurate and complete calculation of Zakah and give the remaining amount.

What should be done if the Zakah given in advance is more than the actual amount?

If the Zakah given in advance is more [than the amount which actually becomes Wajib upon the completion of the year], include the excess amount in the Zakah of the next year.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 176)

What if the person to whom Zakah was given in advance becomes wealthy!

If the Faqeer to whom Zakah was given in advance becomes wealthy or dies or becomes a Murtad (apostate) upon the completion of the year, Zakah will be considered as paid.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 176)

¹ Wealth on which Zakah becomes Wajib

What if the Nisab no longer exists upon the completion of the year?

In such case, everything that is given will be considered as Nafil Sadaqah. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 176*)

The payment of Zakah from the wealth of the Zakah-giving person

It is not necessary to give Zakah from the wealth of that person on whom Zakah is Wajib; someone else can also pay Zakah with his permission. (*Derived from: Fatawa Razawiyyah referenced, vol. 10, pp. 139*)

For example, if Zakah is Wajib on the wife, the husband can pay Zakah from his own wealth with her permission.

The ruling on giving someone's Zakah from his wealth without permission

If someone keeps on giving a person's Zakah in advance from that person's wealth without his permission and then informs him and he expresses his consent, even then, Zakah will not be considered as paid and this person should pay compensation for everything he has given to the Fuqara [poor people] without the permission of the owner. It is stated in *Fatawa Shaami*: If someone pays [a person's] Zakah without his permission, Zakah will not be considered as paid even if he expresses his consent when this news reaches him. (*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 223*)

What if someone passes away without paying Zakah?

If a person upon whom Zakah is Wajib passes away, Zakah will stand remitted, i.e. it is not necessary to give Zakah from his wealth.

However, if he has made a will, his “will” will be executed up to [a maximum of] one-third of his (total) wealth. If the ‘Aaqil [sane] and Baaligh¹ inheritors give permission, Zakah should be paid from the entire wealth. (*Bahar-e-Shari’at, vol. 1, part 5, ruling no. 84, pp. 892*)

Giving Zakah conditionally

If a person lays down any condition while giving Zakah such as, ‘*I will give you if you live here later on, otherwise not*’, or ‘*I give you Zakah on the condition that you will spend it on such and such a purpose, for example, for the construction of a Masjid or Madrasah*’, it is not necessary for the Zakah-taking person to abide by this condition. Zakah will be considered as paid because Zakah is Sadaqah and Sadaqah does not become Faasid [invalid] by a Shart-e-Faasid [invalid condition].

(*Derived from: Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 343*)

What if someone invests the amount of Zakah in trade and distributes its profit amongst the poor?

If the year [of Zakah] has completed, it is Haraam to invest the amount of Zakah in trade instead of giving to the one who deserves it. However, if someone invests his amount of Zakah in trade before the completion of the year with the intention that he will give this amount along with its profit to Fuqara upon the completion of the year, then this intention is very good.

(*Fatawa Razawiyah referenced, vol. 10, pp. 159; summarised*)

¹ Person who has reached puberty

Waqf from the amount of Zakah

Nothing can be made Waqf [dedicated] by purchasing it from the amount of Zakah because Waqf is not possible from the amount of Zakah, as Waqf does not lie under the ownership of anyone, whereas for paying Zakah, it is a condition to make someone its owner. Following is an alternative method for it that can be employed: ‘Give Zakah to any Masraf-e-Zakah [Zakah-deserving person] and then he may purchase books, etc. and make them Waqf’.

(Fatawa Razawiyyah referenced, vol. 10, pp. 255)

Sending Zakah outside the city

If a person wants to pay Zakah in advance, it is unconditionally permissible to send it to another city but if the year has completed, it is Makruh to send it to another city. However, there is no harm if there is any relative, a needier person, a pious and ascetic person, or if sending it over there results in a greater benefit for Muslims.

It is stated in *Durr-e-Mukhtar*: Transferring Zakah to another place is Makruh. However, it is not Makruh if there is any relative at another place, or a needier person, or a pious and ascetic person, or if it results in a greater benefit for the Muslims, or he wishes to give Zakah early before [completion of] the year. *(Derived from: Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 255)*

Deduction of Zakah by the bank

When deduction of Zakah is made by the bank, conditions of the payment of Zakah are not fulfilled such as making [someone] the owner, as most of the amount is spent on such places where no one is the owner; therefore, Zakah will not be considered as paid.

(Waqar-ul-Fatawa, vol. 2, pp. 414; summarised)

Therefore, cautiousness lies in paying Zakah according to Shari'ah by your own self.

SHAR'I HEELAH

On page 166 of his book 'Islami Behno ki Namaz' [Salah for Islamic Sisters], Ameer-e-Ahl-e-Sunnat دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ has stated: The permissibility of Shar'i Heelah is present in the Holy Quran, Hadees and authentic books of Hanafi Fiqh [the Hanafi school of Islamic Jurisprudence]. The noble wife of Sayyiduna Ayyub عَلَيْهِ السَّلَام got late in coming to his blessed court once during the time period of his illness, so he made a vow, 'I will whip [you] 100 times after regaining health'. When he regained health, Allah عَزَّوَجَلَّ commanded him to hit [her with] the broom of a hundred straws. It is stated in the Holy Quran:

وَأَخَذَ بِمِصْبَاتِ كَبَابٍ مِائَةٍ فَضَعَفْتُهَا فَأَصْرَبْتُ بِهِ وَلَا تَخَنَّتْ ط

And We said, 'Take a broom in your hand and strike her with it (since you took oath to strike your wife with hundred lashes), and do not break your oath.'

[Kanz-ul-Iman (translation of Quran)] (Part 23, Surah Saad, Ayah 44)

There is a separate chapter on the topic of Heelah named 'Kitab-ul-Hiyal' [كِتَابُ الْحِيَالِ] in 'Fatawa Aalamgiri'. In 'Kitab-ul-Hiyal', it is stated: That Heelah is Makruh which is performed to deprive someone of his rights, or to create doubt in it, or to deceive someone unlawfully. However, that Heelah is good which is performed to refrain from Haraam or to attain Halal. The following Quranic Ayah is the proof of permissibility of these types of Heelah:

وَحُدُّ بِمِيدِكَ ضِعْفًا فَأَضْرِبْ بِهَا وَلَا تَخْتِثْ^ط

And We said, 'Take a broom in your hand and strike her with it (since you took oath to strike your wife with hundred lashes), and do not break your oath.'

[Kanz-ul-Iman (translation of Quran)] (Part 23, Surah Saad, Ayah 44)
(Al-Fatawa Al-Hindiyyah, Kitab-ul-Hiyal, vol. 6, pp. 390)

When did the tradition of ear piercing start?

Following is one more proof of the permissibility of Heelah. Sayyiduna 'Abdullah Ibn 'Abbas رَضِيَ اللهُ عَنْهُمَا has narrated: Once there was a disagreement between Sayyidatuna Saarah and Sayyidatuna Haajirah رَضِيَ اللهُ عَنْهُمَا. Sayyidatuna Saarah رَضِيَ اللهُ عَنْهَا made a vow, 'If I get a chance, I will cut any body part of Haajirah رَضِيَ اللهُ عَنْهَا.' Allah عَزَّوَجَلَّ sent Sayyiduna Jibra'eel عَلَيْهِ السَّلَام in the court of Sayyiduna Ibraheem عَلَى نَبِيِّنَا وَعَلَيْهِ الصَّلَاةُ وَالسَّلَام to [convey a message to him to] make reconciliation between them. Sayyidatuna Saarah رَضِيَ اللهُ عَنْهَا asked, 'مَا حِيلَةُ يَمِينِي' i.e. *What will be the Heelah of my vow?* A revelation was sent to Sayyiduna Ibraheem عَلَى نَبِيِّنَا وَعَلَيْهِ الصَّلَاةُ وَالسَّلَام [instructing him] to order (Sayyidatuna) Saarah (رَضِيَ اللهُ عَنْهَا) to perform ear-piercing of (Sayyidatuna) Haajirah (رَضِيَ اللهُ عَنْهَا). The tradition of ear-piercing of women started since then.

(Ghamz 'Uyoon-il-Basa'ir Sharh Al-Ashbah wan-Naza'ir, vol. 3, pp. 295)

A gift of cow meat

Umm-ul-Mu'mineen Sayyidatuna 'Aishah Siddiqah رَضِيَ اللهُ عَنْهَا has narrated that cow meat was presented in the court of the Beloved and Blessed Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ. Someone humbly said, 'This meat was given as Sadaqah to Sayyidatuna Bareerah رَضِيَ اللهُ عَنْهَا.'

Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ responded, 'هُوَ لَهَا صَدَقَةٌ وَ لَنَا هَدِيَّةٌ' i.e. *This was Sadaqah for Bareerah, for us it is a gift.*

(*Sahih Muslim, pp. 541, Hadees 1075*)

Shar'i Heelah of Zakah

The cow meat received as Sadaqah by Sayyidatuna Bareerah رَضِيَ اللهُ عَنْهَا who was deserving of Sadaqah was undoubtedly Sadaqah for her. However, when this meat was presented in the blessed court of the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ after Sayyidatuna Bareerah رَضِيَ اللهُ عَنْهَا had taken possession of it, its ruling had changed and then it was no longer Sadaqah. Similarly, after a Zakah-deserving person takes possession of Zakah, he can gift it to anyone or donate it for a Masjid or any Islamic organisation, as the amount that this person presents now is not Zakah but a kind of gift.

The method of Shar'i Heelah

Following is the method of Shar'i Heelah: Make any Shar'i Faqeer the owner of Zakah. Then he may give it (either on your advice or by his own self) for spending it on any virtuous cause. إِنَّ شَاءَ اللهُ, both will earn Sawab [reward] in this way. The blessed Fuqaha [Islamic jurists] رَضِيَ اللهُ عَنْهُمْ have stated: The amount of Zakah cannot be spent on 'Tajheez and Takfeen [Islamic funeral rites]' of the deceased or construction of a Masjid as [the condition of] making a Faqeer its owner is not fulfilled. If a person wants to spend on these purposes, the method is to make a Faqeer the owner (of the amount of Zakah); then he may spend it (on the construction of a Masjid and other such purposes); in this way both of them will get Sawab. (*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 343*)

100 People earn equal Sawab

Dear Islamic brothers! Did you observe! Through Shar'i Heelah, Zakah can be used for shrouding, burial, and even for the construction of a Masjid because it was Zakah for the Faqeer; once he takes possession of it, he becomes its owner and may spend it in any way he wishes. By the blessing of the Shar'i Heelah, the Zakah

The details of Heelah should be explained to a Shar'i Faqeer.

of the Zakah-giving person gets paid and the Faqeer also becomes deserving of Sawab by giving that amount for a Masjid. The details of Heelah should be explained to a Shar'i Faqeer. If possible, the amount should be passed on to many people while performing Heelah so that everyone earns Sawab. For example, suppose 12 hundred thousand rupees of Zakah are given to a Shar'i Faqeer for performing Heelah. After

taking possession of it, he should give it to any Islamic brother as a gift. Then, after taking possession of it, this second Islamic brother should also make someone else its owner. In a similar way, everyone should keep on making the next person the owner with the intention of Sawab and the last person should give it for a Masjid or other purpose for which Heelah was performed. **إِنْ شَاءَ اللهُ**, everyone will earn Sawab of giving twelve hundred thousand rupees as Sadaqah.

Sayyiduna Abu Hurayrah **رَضِيَ اللهُ عَنْهُ** has narrated that the Beloved Rasool **صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ** said: If Sadaqah has passed through a hundred hands, everyone will earn the same Sawab as the Sadaqah-giving person and there will not be any reduction in his reward.

(Tareekh Baghdad, vol. 7, pp. 135)

Don't keep it with you!

While performing Heelah, do not say such words to a Shar'i Faqeer: *Return it to me [after taking possession of it], do not keep it with you!* Suppose you have said such words, even then, there will be no effect on the payment of Zakah and Heelah because such words which express conditions are Faasid [invalid] in giving Sadaqah, Zakah and gift. With the reference to *Fatawa Shaami*, A'la Hadrat Maulana Shah Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: Hibah [gift] and Sadaqah do not become Faasid [invalid] by a Shart-e-Faasid [invalid condition]. (*Fatawa Razawiyyah referenced, vol. 10, pp. 108*)

What if a Shar'i Faqeer does not return Zakah after taking it?

If Zakah is given to a Shar'i Faqeer for performing Heelah and he takes it and keeps it with him, it cannot be taken from him forcefully to spend on virtuous causes because now he has become its owner and he has the right over his wealth.

(*Fatawa Razawiyyah referenced, vol. 10, pp. 108*)

What if one cannot find a trustworthy person for Shar'i Heelah?

If one cannot find any trustworthy person, following is an alternative possible method for it: If the calculated amount of Zakah is five thousand rupees, sell anything such as a few kilograms of wheat to a Shar'i Faqeer for five thousand rupees. Explain to him that he will not have to pay its price; in fact, you will give him the amount which he will use to pay the price. When he accepts the Bay' [بَيْع] [offer], wheat should be given to him. In this way, he will owe you five thousand rupees. Then give him five thousand rupees as Zakah and once he takes possession of it, Zakah will be

regarded as paid. Thereafter, take those five thousand rupees back as the price of wheat. If he refuses to return the amount, it can be taken even forcefully as Dayn can be taken back even forcefully.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 226; derived from: Fatawa Amjadiyyah, vol. 1, pp. 388)

Advising a Faqeer to spend the amount of Zakah on virtuous causes

After giving the amount for Shar'i Heelah, you can advise a Faqeer to give it for any virtuous cause. إِنَّ شَاءَ اللهُ, both will earn Sawab for it as the person who guides [someone] to goodness, he also receives the Sawab of that person who acts upon it. *(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 227; derived from: Fatawa Amjadiyyah, vol. 1, pp. 388)*

What if someone has spent the amount of Zakah on a Madrasah without performing Shar'i Heelah?

If someone has spent the amount of Zakah on a Madrasah without performing Shar'i Heelah, that spending cannot be included in Zakah now because the conditions of payment [of Zakah] have not been fulfilled. Whatever has been spent will be considered to be from the person who has spent it. It is compulsory for him to pay compensation for that total amount (i.e. he should pay that amount out of his own pocket).

(Derived from: Fatawa Faqeeh-e-Millat, vol. 1, pp. 311)

Performing Shar'i Heelah in order to give Zakah to one's parents

If one's parents are needy and the person wishes to give them Zakah after performing Heelah such that he gives it to a Faqeer

who then gives it to them; it is Makruh [disliked act]. Likewise, it is also Makruh to give to one's own children after performing Heelah. (*Bahar-e-Shari'at*, vol. 1, part 5, ruling no. 24, pp. 928)

GIVING NAFL SADAQAH INSTEAD OF ZAKAH

Following is the summary of the answer given by A'la Hadrat, Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ on page 175, volume 10 of *Fatawa Razawiyyah* in reply to a question: 'Who is more foolish than the one who spends his wealth sincerely or insincerely on charity and keeps carrying on his shoulders the Fard owed to Allah عَزَّوَجَلَّ and that heavy debt owed to Allah عَزَّوَجَلَّ, the Most Dominant, the Most Supreme. It is a great satanic deception that he causes destruction to a person under the guise of performing virtuous deeds. A stupid person does not become aware [of this trick]. He thinks that he is performing a virtuous deed and does not realise that Nafl without Fard is only a hidden deception. There is no hope of its [i.e. Nafl's] acceptance, and the torment for missing that [Fard act] remains on his shoulders. Dear brother! Fard is a debt specifically owed to Allah عَزَّوَجَلَّ and Nafl is like a gift'.

A WILL MADE BY AMEER-UL-MU`MINEEN SAYYIDUNA ABU BAKR

When the time came of the demise of Sayyiduna Siddeeq-e-Akbar رَضِيَ اللهُ عَنْهُ, Khalifah of Rasoolullah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ, he called Ameer-ul-Mu`mineen Sayyiduna Farooq-e-A'zam رَضِيَ اللهُ عَنْهُ and said: O 'Umar! Keep fearing Allah عَزَّوَجَلَّ! Remember that there are some obligations owed to Allah عَزَّوَجَلَّ in the daytime such that He عَزَّوَجَلَّ will not accept them if performed in the night, and some obligations [are owed to Him] in the night such that they will not be accepted if performed

in the daytime. Beware, any Nafl is not accepted until Fard is performed. (*Hilya-tul-Awliya*, vol. 1, pp. 71)

THE WARNING OF GHAUS-E-A'ZAM

Ghaus-e-A'zam Sayyiduna Shaykh Abu Muhammad 'Abdul Qadir Jeelani رَحْمَةُ اللهِ عَلَيْهِ has stated great heart-stopping examples in his excellent book '*Futooh-ul-Ghayb*' for the one who performs Nafl,

leaving Fard. He رَحْمَةُ اللهِ عَلَيْهِ has stated: The example of such person is similar to the one who is called by a king for service; he does not go over there and keeps serving the slave of the king. Then,

The state of such person is like a woman who remained pregnant but had a miscarriage...

he رَحْمَةُ اللهِ عَلَيْهِ has narrated its example from Ameer-ul-Mu'mineen Sayyiduna 'Ali-ul-Murtada رَضِيَ اللهُ عَنْهُ that he رَضِيَ اللهُ عَنْهُ said, 'The state of such person is like a woman who remained pregnant but had a miscarriage when the time of childbirth came close. Then, she neither remained pregnant nor gave birth to a child'.

It means if a woman suffers a miscarriage after a full-term pregnancy, she experiences all the difficulties of pregnancy, but in vain. If a child was born, the fruit [of experiencing these difficulties] would be present; if she had still remained pregnant, there would be hope in the future. Now, there is neither pregnancy nor a child, neither hope nor a fruit [of experiencing difficulties] but such woman experiences the same difficulties as experienced by the woman who actually gives birth to a child. Similarly, this person who gives Nafl

charity donates money but since he has missed a Fard act, this Nafil is not accepted as well; so he gives money, but in vain.

In the same blessed book, it is narrated from Sayyiduna Maula ‘Ali رَضِيَ اللهُ عَنْهُ ‘فان اشتغل بالسنن والنوافل قبل الفرائض لم يقبل منه واهين’ i.e. If a person performs Sunnah and Nafil after leaving Fard, these will not be accepted and he will be humiliated.

(Sharh Futooh-ul-Ghayb, pp. 511-514)

In ‘باب الثامن و ثلاثون’ of the blessed book ‘*Awaarif*, Imam Shahabuddin Suharwerdi رَحِمَهُ اللهُ عَلَيْهِ has narrated from Sayyiduna Khawwaas رَضِيَ اللهُ عَنْهُ:

بلغنا ان الله لا يقبل نافلة حتى يؤدي فريضة
يقول الله تعالى مثلكم كمثل العبد السوء بدء بالهدية قبل قضاء الدين

i.e. We have received information that Allah عَزَّوَجَلَّ does not accept any Nafil until Fard act is performed. Allah عَزَّوَجَلَّ says to such people: Your example is like a bad servant who presents gift before paying debt. (*Awaarif-ul-Ma’arif*, pp. 191)

PERFORMING THREE FARD ACTS OUT OF FOUR

It is stated in a blessed Hadees, the Nabi of Rahmah, the Intercessor of Ummah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has said:

اربع فرضهن الله في الاسلام فمن جاء بثلاث لم يغنين
عنه شيئاً حتى ياتي بهن جميعاً الصلوة و الزكوة و صيام رمضان و حج البيت

I.e. Allah عَزَّوَجَلَّ has made four things Fard in Islam. The person who performs three out of them, they will not bring him any benefit until he performs all four, Salah, Zakah, Sawm [fasts] of Ramadan, and Hajj-e-Ka’bah. (*Musnad Imam Ahmad, vol. 6, pp. 236*)

SALAH IS NOT ACCEPTED

Sayyiduna ‘Abdullah Bin Mas’ood رَضِيَ اللهُ عَنْهُ has stated:

امرنا باقام الصلوة و ايتاء الزكوة و من لم يترك فلا صلوة له

I.e. We have been ordered to offer Salah and give Zakah, and Salah of the one who does not give Zakah is not accepted.

(*Al-Mu’jam-ul-Kabeer, vol. 10, pp. 103, Hadees 10095*)

اللَّهُ! سُبْحَانَ اللَّهِ! When even the Salah, Sawm, and Hajj of the person who withholds Zakah are not accepted, what can one hope for any type of Nafl charity? In fact, *Asbahani* has narrated from Sayyiduna ‘Abdullah Bin Mas’ood رَضِيَ اللهُ عَنْهُ:

من اقام الصلوة و لم يؤت الزكوة فليس بمسلم ينفعه عمله

I.e. The one who offers Salah but does not give Zakah is not that Muslim whose deeds benefit him. (*Az-Zawajir, vol. 1, pp. 280*)

Ya Allah عَزَّوَجَلَّ! Guide the Muslims. Aameen [آمِينَ]

THE RULING ON WHATEVER HAS BEEN GIVEN AS SADAQAHA AND CHARITY

All that a person has given as charity to date, constructed a Masjid, made a village Waqf [dedicated], these all have become valid and definitive as neither can he now take the amount of charity back from the Faqeer that he has given, nor does he has the authority to cancel the Waqf he has made, nor can he spend the income from that village for paying Zakah or on his personal or any other purpose, as after completion, Waqf becomes definitive and permanent and one has no authority to cancel it. However, despite this fact, there is no

hope of Sawab [reward] and acceptance for these acts until a person pays the complete amount of Zakah, as for any act, becoming valid is something else, and being accepted and receiving Sawab for it is something else. For example, if a person offers Salah out of pretentiousness, the Salah will be valid and the Fard [obligation] will stand discharged, but neither will it be accepted nor will he earn Sawab; instead, he will become a sinner. Similar is the example of that person.

RECOGNISE THE SATANIC ATTACK

Dear brother! For causing complete destruction and stopping a person from giving even this charity which is benefiting the poor people, the cursed Satan who is the open enemy of a person will then instil such thoughts: *‘What is the benefit of giving such charity which will not get accepted. Stop giving it as well, and obey me completely’*. However, Allah عزوجل wills to grant you peace and safety, and salvation from severe torment. Allah عزوجل will enlighten your heart with such thoughts: *‘The response to this Shar’i ruling is not the one which this enemy of Iman has taught you, and made you completely disobedient and nonobservant. Instead, you should have worried, due to which you would have attained salvation from the Divine punishment and also, you could hope for your Waqf, [contribution to] Masjid and charity to date, all being accepted.’*

Just ponder! Is it better that one’s vain attempts made in the past become beneficial and the efforts which were being wasted, actually bear fruit or مَعَادَ اللَّهِ is it better to abandon doing even those deeds of obedience which a person was doing before and as a result, become amongst the disobedient and nonobservant people! The best advice is: Repent for withholding Zakah.

PAY ZAKAH

Pay the complete amount of Zakah you have withheld to date, immediately and wholeheartedly for pleasing your Rab عَزَّوَجَلَّ and obeying Him so that in the court of Allah عَزَّوَجَلَّ, your name is erased from the list of disobedient servants and written in the list of the obedient ones. Also, so that you find hope of becoming successful in the court of Allah عَزَّوَجَلَّ, the most Gracious, Who has blessed you with life, body, wealth, countless blessings; and good news is that once you give Zakah, there will be a hope that all that you have given as charity to date, made Waqf, donated for the construction of a Masjid, etc. will also be accepted as, when the crime due to which all these deeds were not acceptable doesn't exist anymore, إِنَّ شَاءَ اللَّهُ, these deeds will also be accepted.

THE METHOD OF CALCULATING ZAKAH

Following is the best advice; however, every individual has the choice between the right and wrong path. If the exact calculation of Zakah cannot be made as a long time period has elapsed, for the betterment of one's afterlife, think and assume the maximum possible amount, as the excess amount will not get wasted but will be in the Divine treasure for your help in your hour of need. Allah عَزَّوَجَلَّ will bless you with its perfect reward which you cannot even imagine. If you pay a lesser amount, remember, the demand for fulfilling the obligation owed to Allah عَزَّوَجَلَّ is equal, be it one rupee or a thousand.

IT IS OUR OWN MISTAKE!

The Nafs [inner self] may find it difficult and painful to give a huge amount of Zakah of several years. Firstly, consider the fact

that it is your own mistake. If you kept giving it on a yearly basis, it would not become a huge amount. Moreover, take a look at the mercy of Allah عَزَّوَجَلَّ. He عَزَّوَجَلَّ did not order us to give it only to the people other than one's relatives. Instead, there is double reward for giving it to one's relatives; one for giving charity and the other for being kind to the relatives. Therefore, give it to the relatives who are close to your heart such as the brother and nephew, as you will not feel much burden by giving it to them. Just keep it in mind that they should neither be Ghani nor Na-Baaligh children of a living Ghani person, nor should they be your lineal ascendants or lineal descendants. Then, if it is such a huge amount that nothing will be left from your wealth afterwards, it still needs to be given in order to attain salvation. One can, somehow or other, live this short life but it is extremely difficult to suffer severe Divine torment for thousands of years.

HEELAH FOR THE PAYMENT OF ZAKAH OF SEVERAL YEARS

If a Zakah-giving person gives the possession of the amount of money to his relatives with the intention of Zakah and then out of pity, they willingly return as much as they wish as a gift without being forced by him, it is completely beneficial for all. The benefits for the Zakah-giving person are that he attains salvation from Divine torment, the debt and obligation he owed to Allah عَزَّوَجَلَّ is paid, he receives the amount back after it becomes Halal and pure, and the rest of the amount remains with his beloved relatives. The benefits for the relatives are that they receive wealth in this world and attain Sawab in the Hereafter for feeling pity for their beloved Muslim brother, giving that amount to him as a gift and helping him in paying his Zakah. If a person can completely trust them,

there is no need to calculate the Zakah of all the years. He may give them his entire wealth as Tasadduq [charity] placing it in their possession. Then, they may give him as a gift as much as they wish. In this way, his complete amount of Zakah gets paid, all purposes are fulfilled, and the Zakah-giving person and Zakah-taking person both receive every type of religious and worldly benefit.

May Allah عَزَّوَجَلَّ grant us Taufeeq [desire and determination] by His mercy to act upon the Islamic teachings. ‘أَمِينٌ آمِينَ يَا رَبَّ الْعَالَمِينَ’

وَاللَّهُ أَعْلَمُ

GIVE ZAKAH HAPPILY AND WHOLEHEARTEDLY

Sayyiduna Abu Darda رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: The one who has performed these five acts with Iman [faith] will enter Jannah: ‘He who has punctually offered the five [daily] Salahs with their Wudu, Ruku’, Sujood and timings, observed Siyam [the fasts] of Ramadan, he who has performed Hajj when it became affordable [for him], paid Zakah happily and wholeheartedly, and returned Amanah [trust].

(Majma’-uz-Zawaid, Kitab-ul-Iman, vol. 1, pp. 205, Raqm 139)

Sayyiduna ‘Abdullah Bin Mu’awiyah Al-Ghadiri [الغاضري] رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: The one who has performed three acts, has had the taste of Iman:

1. He who has worshipped Allah عَزَّوَجَلَّ alone and has had the belief that there is none worthy of worship except Allah عَزَّوَجَلَّ.
2. He who has paid Zakah of his wealth every year happily and wholeheartedly.

3. He who has given Maal [wealth] of an average standard as Zakah, instead of aged and sick animals or ragged clothes and wealth of a poor standard, because Allah عَزَّوَجَلَّ neither demands your wealth of the highest standard from you nor does He عَزَّوَجَلَّ give permission to give the wealth of a poor standard.

(Abu Dawood, Kitab-uz-Zakah, vol. 2, pp. 147, Raqm 1582)

THE ZAKAH OF ANIMALS

When will the Zakah of animals become Fard?

The Zakah of every type of animal will not be given. Following are its details:

- Animals which have been purchased for the purpose of trade lie under the category of trade goods. Their Zakah will be given according to their price.
- The animals which graze in the jungle for most part of the year and the purpose of grazing them is only to obtain their milk and offspring and to make them gain weight, are called ‘Saa`imah [سَائِمَةٌ]’. Their Zakah will have to be given.
- The animals which may even graze in the jungle but the purpose for having them is to transport goods, or use them for ploughing the earth or other such purpose, or use them for conveyance or eat their meat, are not ‘Saa`imah’; it is not Wajib to give their Zakah.
- The Zakah of those animals is also not Wajib which are fed at home. *(Derived from: Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 232, 234)*

Note: Masarif [people deserving] of the ‘Zakah of animals’ are also the same as of the Zakah of gold, silver, currency notes, etc.

What if a person purchases an animal for trade and then starts grazing it?

If a person purchases an animal for trade but starts grazing it afterwards, the year [of Zakah] will start now provided that he makes the intention of making it ‘Saa`imah’. However, if he has not made this intention, it will still lie under the category of trade goods. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 3, pp. 177*)

The Zakah of Waqf animals

It is not Wajib to give the Zakah of Waqf [dedicated] animals. (*Derived from: Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 236*)

For which types of animals is Zakah Wajib?

Zakah is Wajib for three types of animals provided that they are ‘Saa`imah’: (1) Camel (2) Cow (3) Goat.

The Zakah of camels

The details of the ‘Zakah of camels’ are as follows:

- The Nisab becomes complete on at least 5 camels; Zakah is not Wajib on less than five camels.
- For paying Zakah of five to twenty-five camels, a one-year-old male or female goat will be given for every 5 camels. The quantity between two successive Nisabs will not be included in Zakah. For example, after five camels, if there are one, two, three or

four more camels, their Zakah will not be given; instead, it will be given when the number of camels increases to ten.

- From 25 to 35 camels – An at least one-year-old female camel will be given.
- From 36 to 45 camels – An at least two-year-old female camel will be given.
- From 46 to 60 camels – An at least three-year-old female camel will be given.
- From 61 to 75 camels – An at least four-year-old female camel will be given.
- From 76 to 90 camels – At least two-year-old, 2 female camels will be given.
- From 91 to 120 camels – At least three-year-old, 2 female camels will be given.
- From 121 to 145 camels – At least three-year-old, 2 female camels will be given and a one-year-old male or female goat will also be given for every 5 camels. For example, for 125 camels, 1 female goat along with 2 female camels; for 130 camels, 2 female goats along with 2 female camels; for 135 camels, 3 female goats along with 2 female camels; for 140 camels, 4 female goats along with 2 female camels.
- For 145 camels, at least three-year-old, 2 female camels and at least one-year-old, 1 baby camel will be given.
- For 150 camels, at least three-year-old, 3 female camels will be given.

- From 150 to 170 camels, at least three-year-old, 3 female camels will be given and also, a one-year-old male or female goat will be given for every five camels. For example, for 155 camels, one female goat along with 3 female camels; for 160 camels, 2 female goats along with female camels, and so on.
- From 175 to 185 camels, at least three-year-old, 3 female camels will be given and at least one-year-old, 1 female camel will also be given.
- From 186 to 195 camels, at least three-year-old, 3 female camels will be given and at least two-year-old, 1 female camel will also be given.
- From 195 to 200 camels, at least three-year old, 4 female camels will be given. If a person wishes, he can give at least two-year-old, 5 female camels.
- The Zakah for 200 to 250 camels will be calculated in a similar way as the calculation has been made for 150 to 200 camels.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 177; Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 238)

To understand it more easily, please refer to the following table:

Number of camels	Zakah
From 5 to 9	1 female goat
From 10 to 14	2 female goats
From 15 to 19	3 female goats
From 20 to 24	4 female goats
From 25 to 35	A one-year old female camel
From 36 to 45	A two-year old female camel

Number of camels	Zakah
From 46 to 60	A three-year old female camel
From 61 to 75	A four-year old female camel
From 76 to 90	2 two-year old female camels
From 91 to 120	2 three-year old female camels

What if a male camel is given in place of a female camel for the Zakah of camels?

For the Zakah of camels, a male camel can also be given in place of a female camel but it is necessary that its price should not be less than that of a female camel.

(Durr-e-Mukhtar, Kitab-uz-Zakah vol. 3, pp. 240)

Paying the price of animals for the Zakah of camels

In place of the aforementioned animals, their price can also be given for the Zakah of camels.

The Zakah of cows

The details of the ‘Zakah of cows and buffaloes’ are as follows:

- The Nisab becomes complete on at least 30 cows or buffaloes; Zakah is not Wajib for less than thirty.
- For the Zakah of 30 to 39 cows / buffaloes: A one-year-old male or female calf¹ will be given.
- For the Zakah of 40 to 59 cows / buffaloes: A two-year-old male or female calf will be given.

¹ ‘Calf’ here refers only to the baby of a cow.

- For the Zakah of 60 cows / buffaloes: 2 one-year-old male or female calves will be given.
- For the Zakah of 70 cows / buffaloes: 1 one-year-old and 1 two-year-old male or female calf will be given.
- For the Zakah of 80 cows / buffaloes: 2 two-year-old male or female calves will be given. (*Durr-e-Mukhtar, vol. 3, pp. 341*)

In order to understand this more easily, please refer to the following table:

Number of cows or buffaloes	Zakah
30	A one-year old male or female calf
40	A two-year old male or female calf
60	2 one-year old male or female calves
70	1 one-year old male calf and 1 two-year old male calf
80	2 two-year old male calves

The Zakah of goats

The details of the ‘Zakah of male and female goats, and male and female sheep’ are as follows:

- The Nisab becomes complete on at least 40 male goats or female goats, etc.; Zakah is not Wajib for less than forty.
- For the Zakah of 40 to 120 goats / sheep: A one-year-old male or female goat will be given.
- For the Zakah of 121 to 200 goats / sheep: 2 one-year-old male or female goats will be given.

- For the Zakah of 201 to 399 goats / sheep: 3 one-year-old male or female goats will be given.
- For the Zakah of 400 goats / sheep: 4 one-year-old male or female goats will be given.
- After this, one male or female goat will be increased on every 100 goats / sheep.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 178)

For understanding it more easily, refer to the following table:

No. of female goats	Zakah
From 40 to 120	1 female goat
From 121 to 200	2 female goats
From 201 to 399	3 female goats
400	4 female goats
More than 400	1 female goat for every 100

OTHER RULINGS ON THE ZAKAH OF ANIMALS

What should be the age of animals for Zakah to become Wajib?

The Zakah of one-year-old animals is Wajib. For example, if there are 39 female goats aged less than 1 and 1 goat aged 1 or over, then, all the animals will be included in the calculation. They will not be included if none of them is aged 1 or over.

(Derived from: Al-Jauhara-tun-Nayyirah, Kitab-uz-Zakah, vol. 3, pp. 208)

What if none of the animals reaches the Nisab?

If a person owns camels, cows and goats but none of them reaches the Nisab [individually], they will not be combined together [to calculate Zakah collectively].

(Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 208)

The Zakah of horses, donkeys and mules

It is not Wajib to give the Zakah of a horse, donkey and mule even if they are 'Saa'imah'. However, Zakah is Wajib if they are for the purpose of trade.

(Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 244)

SADAQA-TUL-FITR¹

Sadaqa-tul-Fitr is actually the Sadaqah of the Siyam [fasts]...

After Ramadan, Wajib Sadaqah given before offering Salat-ul-Eid is known as Sadaqa-tul-Fitr. 'Allamah Mufti Muhammad Khaleel Khan Barakati رَحْمَةُ اللهِ عَلَيْهِ has stated: Sadaqa-tul-Fitr is actually the Sadaqah of the Siyam [fasts] of Ramadan-ul-Mubarak so that the Siyam become purified from useless and bad acts, the poor and needy may prepare for Eid, and [by means of giving Sadaqah] a person may express thanks for the blessings he has

received from Siyam.

(Hamara Islam, part 7, pp. 87)

¹ Purchase the pamphlet of 'Sadaqah Fitr kay Fazaail-o-Masa'il' (by Ameer-e-Ahl-e-Sunnat دَامَتْ بَرَكَاتُهُمُ الْعَالِيَهُ) from Maktaba-tul-Madinah.

4 Narrations mentioning the excellence of Sadaqa-tul-Fitr

1. The Beloved and Blessed Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ was asked about the following blessed Ayah:

قَدْ أَفْلَحَ مَنْ تَزَكَّى ﴿١٤﴾ وَذَكَرَ اسْمَ رَبِّهِ فَصَلَّى ﴿١٥﴾

Indeed successful is the one who became pure. And offered Salah, having mentioned the name of his Lord.

[Kanz-ul-Iman (translation of Quran)] (Part 30, Al-A'la, Ayah 14, 15)

So, the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ responded: This Ayah has been revealed regarding Sadaqa-tul-Fitr.

(Sahih Ibn Khuzaymah, vol. 4, pp. 90, Hadees 397)

2. The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated: Those who are your wealthy people, (because of giving Sadaqa-tul-Fitr,) Allah عَزَّوَجَلَّ will purify them and those who are your poor people, Allah عَزَّوَجَلَّ will give them even more than it. *(Sunan Abi Dawood, Kitab-uz-Zakah, vol. 2, pp. 161, Hadees 1619)*
3. Sayyiduna Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا has stated that there are three virtues in giving Sadaqa-tul-Fitr: The first one is Sawm being accepted, the second is easiness in the agonies of death and the third is salvation from the torment of grave. *(Al-Mabsoot lil-Sarakhsee, Kitab-uz-Zakah, vol. 2, pp. 114)*
4. Sayyiduna Abu Khuldah رَحِمَهُ اللهُ عَلَيْهِ has stated: I went in the court of Sayyiduna Abul 'Aaliyah رَحِمَهُ اللهُ عَلَيْهِ. He said, 'Meet me when you go to Eid-Gah¹ tomorrow.' When I went, he asked me, 'Have you eaten anything?' I replied, 'Yes.' He asked, 'Have

¹ Ground where Salat-ul-Eid is offered in congregation.

you taken a bath?’ I replied, ‘Yes.’ He asked, ‘Have you paid Sadaqa-tul-Fitr?’ I replied, ‘Yes, I have paid Sadaqa-tul-Fitr.’ He said, ‘I had called you for this very reason.’ Then he recited the following blessed Ayah:

قَدْ أَفْلَحَ مَنْ تَزَىٰ ﴿٣٤﴾ وَذَكَرَ اسْمَ رَبِّهِ فَصَلَّىٰ ﴿٣٥﴾

Thereafter, he said, ‘The people of Madinah would not consider any Sadaqah to be superior to Sadaqa-tul-Fitr and serving water.’
(*Tafseer Tabari, vol. 12, pp. 547, Raqm 36992*)

When did Shari’ah make Sadaqa-tul-Fitr Wajib?

The Siyam of Ramadan became Fard in 2 Hijri and the commandment of [paying] Sadaqa-tul-Fitr was given the same year, two days before Eid. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 362*)

The wisdom of making Sadaqa-tul-Fitr Wajib

Sayyiduna Ibn ‘Abbas رَضِيَ اللهُ عَنْهُمَا has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ declared Sadaqa-tul-Fitr to be Wajib for purifying the Siyam [fasts] from useless and immodest talk, and for feeding the Miskeen [needy people].

(*Sunan Abi Dawood, Kitab-uz-Zakah, vol. 2, pp. 157, Hadees 1609*)

In the explanation of the aforementioned Hadees, Mufti Ahmad Yar Khan Na’eemi رَحِمَهُ اللهُ عَلَيْهِ has stated: There are two [pieces of] wisdom of making Fitrah Wajib: One of them is the forgiveness of shortcomings in the Siyam of a Sawm-observing person. Anger often increases while observing Sawm, so a person starts quarrelling without a reason and sometimes, he tells lies, commits backbiting, etc. By the blessing of this Fitrah, Allah عَزَّوَجَلَّ will forgive those

disliked and sinful acts as sins are forgiven because of virtuous deeds. The second [piece of] wisdom is to provide food to Masakeen [the needy]. (*Mirat-ul-Manajih, vol. 3, pp. 43*)

Shar'i ruling on Sadaqa-tul-Fitr

It is Wajib to give Sadaqa-tul-Fitr.

(*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 362*)

In *Sahih Bukhari*, Sayyiduna 'Abdullah Bin 'Umar رَضِيَ اللهُ عَنْهُمَا has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ declared Sadaqa-tul-Fitr to be Wajib on Muslims.

(*Sahih Bukhari, Kitab-uz-Zakah, vol. 1, pp. 507, Hadees 1503; summarised*)

On whom is Sadaqa-tul-Fitr Wajib?

Sadaqa-tul-Fitr is Wajib on every free Muslim who is the owner of Nisab and his Nisab is exclusive of Haajat-e-Asliyyah (i.e. basic necessities of life).

(*Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 365*)

A man who is the owner of Nisab should pay his own Sadaqa-tul-Fitr, Sadaqa-tul-Fitr of his small children and if he has a Majnoon [insane] child, he should pay his Sadaqa-tul-Fitr as well (even if that child is Baaligh¹). However, if his small or insane child is himself the owner of Nisab, he may pay Fitrah from that child's wealth.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192*)

Note: Please read the definitions of the 'owner of Nisab' and 'Haajat-e-Asliyyah' again on page 19 and 21.

¹ Person who has reached puberty.

When does Sadaqa-tul-Fitr become Wajib?

On the day of Eid, Sadaqa-tul-Fitr becomes Wajib [compulsory]

“

On the day of Eid, Sadaqa-tul-Fitr becomes Wajib [compulsory] as soon as dawn breaks.

”

as soon as dawn breaks. Therefore, Sadaqa-tul-Fitr does not become Wajib if before the break of dawn, a person dies, or becomes a Faqeer previously being a Ghani person, or if

after the break of dawn, a Kafir [unbeliever] becomes a Muslim or a child is born or a person becomes Ghani previously being a Faqeer. However, Sadaqa-tul-Fitr becomes Wajib if a person dies after the break of dawn, or if before the break of dawn, a Kafir becomes a Muslim or a child is born or a person becomes Ghani previously being a Faqeer.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192)

The difference between Zakah and Sadaqa-tul-Fitr

The completion of a year, being ‘Aaqil [sane] and Baaligh, and possessing Nisab-e-Naami (i.e. Nisab, growing in nature) are the conditions for Zakah, whereas these are not the conditions for Sadaqa-tul-Fitr. Therefore, if a person has excess possessions at home and their value reaches the Nisab, Sadaqa-tul-Fitr will become Wajib on him, even if they do not lie under the category of Maal-e-Naami. This difference between the Nisab of Zakah and Sadaqa-tul-Fitr is according to the category [of Maal].

(Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 207, 214, 365)

The conditions of the payment of Sadaqa-tul-Fitr

For Sadaqa-tul-Fitr as well, it is a condition to make intention and make a Muslim Faqeer the owner of the amount of Sadaqa-tul-Fitr.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 380)

Sadaqa-tul-Fitr of a Na-Baaligh

If a Na-Baaligh is the owner of Nisab, Sadaqa-tul-Fitr is Wajib on him as well. His Wali¹ should pay Sadaqa-tul-Fitr from his wealth [i.e. from the wealth of Na-Baaligh].

(Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 207, 214, 365)

The Sadaqa-tul-Fitr of an unborn baby

It is not Wajib to pay Sadaqa-tul-Fitr of an unborn baby.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192)

The Sadaqa-tul-Fitr of one's younger brother

If a person looks after his younger brother who is poor, Sadaqa-tul-Fitr of his younger brother is still Wajib on his father if the father has wealth, not on this elder brother. It is stated in *Fatawa 'Aalamgiri*: Sadaqah of his younger brother is not Wajib [on a person] even if his younger brother is amongst his dependants.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 193)

¹ Wali is a person specified by Shari'ah whose decision is enforced on someone, whether he accepts it willingly or not. *(Bahar-e-Shari'at, vol. 2, part 7, pp. 42)*

What if a person's Sadaqa-tul-Fitr has not been paid?

If someone's father did not pay his [i.e. the child's] Sadaqa-tul-Fitr when he was Na-Baaligh, he himself should pay it after becoming Baaligh¹ provided that he was the owner of Nisab in his childhood. However, if he was not the owner of Nisab in his childhood, it is not Wajib for him to pay it after becoming Baaligh.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 365)

What if someone's father has not observed Siyam?

If father is the owner of Nisab, Sadaqa-tul-Fitr of Na-Baaligh children is Wajib on him, not on their mother, even if he has not observed the Siyam of Ramadan.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 367-368)

Sadaqa-tul-Fitr of children is not Wajib upon the mother

If the father has passed away, it is not Wajib upon the mother to give Sadaqa-tul-Fitr of her small children.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 368)

The Sadaqa-tul-Fitr of orphans

If the father of children has passed away, it is Wajib upon their paternal grandfather to give Sadaqa-tul-Fitr of his poor, orphan grandchildren provided that these children do not own the Nisab.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 368)

¹ Person who has reached puberty.

The Sadaqa-tul-Fitr of the children of a poor person

If the father is poor, it is Wajib upon the children's paternal grandfather, possessing the Nisab, to give Sadaqa-tul-Fitr of his poor grandchildren, provided that the children are not wealthy.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 368)

Observing Sawm is not a condition for Sadaqa-tul-Fitr

Observing Sawm is not a condition for Sadaqa-tul-Fitr to become Wajib. Therefore, even a person who does not observe Sawm due to a valid reason such as a journey, illness, and old age, or مَعَادَ اللَّهِ the one who leaves Sawm without any valid reason will pay Sadaqa-tul-Fitr.

(Derived from: Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 367)

What if the children reside in Pakistan but the father in a different country?

If small children reside in Pakistan and their father in a different country, it is Wajib on the father to give the price of wheat as Sadaqa-tul-Fitr of small (Na-Baaligh) children according to the country he resides in. It is stated in *Fatawa 'Aalamgiri*: For Sadaqa-tul-Fitr, the Sadaqa-giving person's place of residence is considered, not the small children's place of residence.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 193; summarised)

The birth of a child in the night preceding Eid-ul-Fitr

If a child is born in the night preceding Eid-ul-Fitr, his Sadaqa-tul-Fitr will have to be given as well because Sadaqa-tul-Fitr becomes Wajib as soon as dawn breaks on the day of Eid. Sadaqa-tul-Fitr is not Wajib if he is born afterwards.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192)

The Sadaqa-tul-Fitr of a person who embraces Islam in the night preceding Eid-ul-Fitr

Sadaqa-tul-Fitr becomes Wajib as soon as dawn breaks on the day of Eid. Therefore, if someone embraces Islam before the break of dawn, it is Wajib on him to give Sadaqa-tul-Fitr. However, Sadaqa-tul-Fitr will not be Wajib if he has embraced Islam afterwards. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192*)

What if one's Maal gets destroyed?

If the Maal [one's wealth] gets destroyed after Sadaqa-tul-Fitr becomes Wajib, it will still have to be given because contrary to [the condition of the payment of] Zakah and 'Ushr, the existence of Maal is not a condition for the payment of Sadaqa-tul-Fitr. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 366*)

The Sadaqa-tul-Fitr of a dead person

If a person has not made a will and passed away, leaving behind wealth, it is not Wajib on the inheritors to pay his Sadaqa-tul-Fitr from his wealth because Sadaqa-tul-Fitr is Wajib on a person, not on the wealth. However, his Sadaqa-tul-Fitr can be paid if the inheritors pay it as a favour, out of their own pocket; they are under no compulsion. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 3, pp. 193*)

The Sadaqa-tul-Fitr of guests

A host will not pay the Sadaqa-tul-Fitr of the guests he receives on the occasion of Eid. If the guests own the Nisab, they should pay their Sadaqa-tul-Fitr themselves.

(*Fatawa Razawiyyah referenced, vol. 10, pp. 296*)

The Sadaqa-tul-Fitr of a married daughter

If a married daughter celebrates Eid at her father's house, Sadaqa-tul-Fitr of her small children is [Wajib] on the father of the children whereas the woman's Sadaqa-tul-Fitr is neither [Wajib] on her father nor husband; if she is the owner of Nisab, she should pay it herself. (*Fatawa Razawiyyah referenced, vol. 10, pp. 296*)

Paying Sadaqa-tul-Fitr without one's permission

If the wife pays the Sadaqa-tul-Fitr of her husband without his permission, Sadaqa-tul-Fitr will not be regarded as paid unless there is explicit or implicit permission.

(*Summarised from: Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 193*)

If a husband pays the Sadaqa-tul-Fitr of his wife or Baaligh children without their permission, Sadaqa-tul-Fitr will be regarded as paid provided that they are his dependants.

(*Derived from: Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 370*)

In *Fatawa Razawiyyah*, A'la Hadrat رَحْمَةُ اللهِ عَلَيْهِ has stated: Sadaqa-tul-Fitr is a form of worship and intention is a condition for worship, so it is impossible [for Sadaqa-tul-Fitr to be regarded as paid] without permission. However, explicit permission is not necessary; implicit permission is sufficient. For example, if Zayd is amongst a person's dependants and this person fulfils Zayd's need of food and clothing, then Sadaqa-tul-Fitr will be regarded as paid.

(*Derived from: Fatawa Razawiyyah, vol. 20, pp. 453*)

*Sadaqa-tul-Fitr
is a form of
worship and
intention is a
condition for
worship...*

Which items can be used to pay Sadaqa-tul-Fitr?

Half Sa'¹ [صَاع] of wheat or its flour or Sattu [roasted flour]; or one Sa' of dates, or raisins, or barley or its flour or its Sattu. If a person wishes to pay Sadaqa-tul-Fitr with anything else other than these four items (i.e. wheat, barley, dates, raisins), such as rice, sorghum, millet or some other grain or anything else, he will have to take the price into account. That item should have a value equal to the price of half Sa' of wheat or one Sa' of barley. If a person gives Roti [as Sadaqa-tul-Fitr], the price will be taken into account, even if it is made of wheat or barley. (*Bahar-e-Shari'at*, part 5, pp. 939)

The amount of Sadaqa-tul-Fitr

There is a difference of opinion amongst the blessed scholars regarding the amount of Sadaqa-tul-Fitr, since they differ in the opinion regarding the amount of Sa'. It is stated in *Fatawa Razawiyyah*: Cautiousness lies in giving wheat according to Sa' of barley. One Sa' of barley contains wheat worth 351 rupees, so half Sa' will contain wheat worth 175 rupees and 50 paise.

(*Fatawa Razawiyyah*, vol. 10, pp. 295)

The amount of Sadaqa-tul-Fitr expressed in an easy way

The amount of one Sadaqa-tul-Fitr: Wheat worth '175 rupees and 50 paise' (i.e. 1.92 kg) or its flour or the price of this amount of wheat. If a person wishes to give dates, raisins, barley, or its flour or Sattu, or their price, the amount of one Sadaqa-tul-Fitr is '[amount of wheat] worth 351 rupees' (i.e. 3.84 kg).

(*Derived from: Bahar-e-Shari'at*, vol. 1, part 5, pp. 938)

¹ A unit used in the past for measuring weight.

The time for the payment of Sadaqa-tul-Fitr

It is better to pay Sadaqa-tul-Fitr after the break of dawn of the Eid day, before going to Eid-Gah¹.

(Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 376)

What if Sadaqa-tul-Fitr is paid in Ramadan?

It is stated in *Fatawa 'Aalamgiri*: It is permissible to pay Sadaqa-tul-Fitr before Eid-ul-Fitr.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 193)

Paying Sadaqa-tul-Fitr even before Ramadan

It is permissible to pay Sadaqa-tul-Fitr even before Ramadan.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192; summarised)

Being the owner of Nisab while giving Sadaqa-tul-Fitr in advance

It is correct if a person gives Sadaqa-tul-Fitr before becoming the owner of Nisab and thereafter, becomes the owner of Nisab.

(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 192; summarised)

What if a person gives Sadaqa-tul-Fitr after Eid?

A'la Hadrat رَحْمَةُ اللهِ عَلَيْهِ has stated: The time for giving Sadaqa-tul-Fitr is very long. A person can give it before Eid-ul-Fitr as well as after Eid-ul-Fitr. However, one should not delay it for the future. In fact, giving it before Salat-ul-Eid is better as it is stated in a blessed Hadees that the Siyam [fasts] of the owner of Nisab remain suspended until he pays Sadaqah. *(Fatawa Razawiyyah, vol. 10, pp. 253)*

¹ Ground where Salat-ul-Eid is offered in congregation.

Which item is Afdal for giving Sadaqa-tul-Fitr?

Instead of giving wheat and barley, it is Afdal [better] to give the flour of wheat and barley, and giving the price is even Afdal than it. It doesn't matter whether the price of wheat or barley or dates is given. However, in times of drought, it is Afdal to give these items than giving the price. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 191-192; Noor-ul-Ieedah, Kitab-uz-Zakah, pp. 173-174*)

To whom should Sadaqa-tul-Fitr be given?

The Masarif [people deserving] of Sadaqa-tul-Fitr are the same as the Masarif of Zakah. (*Aalamgiri, vol. 1, pp. 194*) It means that Sadaqa-tul-Fitr can be given to the people whom Zakah can be given and [likewise] it cannot be given to the people whom Zakah cannot be given. Therefore, just like Zakah, the amount of Sadaqa-tul-Fitr can also be used for Madaris, Jami'at and other religious purposes after performing Shar'i Heelah.

(*Fatawa Amjadiyyah, vol. 1, pp. 376; summarised*)

To whom should Sadaqa-tul-Fitr not be given?

Those people to whom Zakah cannot be given, Sadaqa-tul-Fitr cannot be given as well. Therefore, Sadaqa-tul-Fitr cannot be given to blessed Sayyids.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 379*)

Giving Sadaqa-tul-Fitr to one Miskeen only

It is better to give Sadaqa-tul-Fitr to one Miskeen or Faqeer¹ only. It is permissible to give the Sadaqa-tul-Fitr of one person to more

¹ Please refer to the definitions of 'Miskeen' and 'Faqeer' on page 57.

than one Miskeen. Likewise, the Sadaqa-tul-Fitr of more than one person can also be given to only one Miskeen.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 377; summarised)

THE DETAILS OF ‘USHR¹

Question 1: What is ‘Ushr [عُشْرُ]?

Answer: Zakah paid for the agricultural produce which has been grown for the purpose of obtaining benefit from land is called ‘Ushr. *(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 185; summarised)*

Question 2: Why is the Zakah of land known as ‘Ushr?

Answer: Usually, one-tenth (1/10) part of the agricultural produce of the land is given as Zakah. Therefore, it is called ‘Ushr (i.e. one-tenth part).

The excellence of ‘Ushr

Question 3: What is the excellence of giving ‘Ushr?

Answer: There are glad tidings of the reward in the Hereafter for those who pay ‘Ushr, as Allah عَزَّوَجَلَّ has stated in the Holy Quran:

وَمَا أَنْفَقْتُمْ مِنْ شَيْءٍ فَهُوَ يُخْلِفُهُ ۖ وَهُوَ خَيْرُ الرَّازِقِينَ ﴿٣٩﴾

And whatever you spend in the path of Allah, He will give more in return. And He is The Best Provider.

[Kanz-ul-Iman (translation of Quran)] (Part 22, Surah Saba, Ayah 39)

¹ The booklet, namely ‘Ushr kay Ahkam’ has already been published by Maktaba-tul-Madinah. Considering the benefits, part of it is being included in this book.

It is stated in Surah Al-Baqarah:

مَثَلُ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثَلِ حَبَّةٍ أَنْبَتَتْ سَبْعَ سَنَابِلَ فِي كُلِّ
سُنْبُلَةٍ مِائَةٌ حَبَّةٌ وَاللَّهُ يُضَعِفُ لِمَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ ﴿٢٦١﴾ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ
فِي سَبِيلِ اللَّهِ تُرْءَا لَا يُتْبِعُونَ مَا أَنْفَقُوا مَنًّا وَلَا أَذَىٰ لَّهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ
عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ ﴿٢٦٢﴾

The example of those who spend their wealth on the path of Allah is similar to a grain which has sprouted seven ears (of wheat) and each ear contains a hundred grains, and Allah may increase this many a time for whomsoever He desires, and Allah is All-Encompassing, All-Knowing. Those who spend their wealth in the path of Allah, and after spending they do not boast of their favour nor taunt; their reward is with their Lord; they shall have no fear nor shall they grieve.

[Kanz-ul-Iman (translation of Quran)] (Part 3, Surah Al-Baqarah, Ayah 261, 262)

In order to encourage the Ummah, at various places, the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has also mentioned many virtues of spending in the way of Allah عَزَّوَجَلَّ:

Sayyiduna Hasan رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: Put your wealths in strong fortresses by giving Zakah, and treat your sick people with Sadaqah, and seek help from ‘Du’a and weeping’ upon facing a difficulty.

(Maraseel Abi Dawood ma’ Sunan Abi Dawood, pp. 8)

Moreover, Sayyiduna Jabir رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: Certainly, Allah عَزَّوَجَلَّ has removed evil from the one who has paid Zakah of his wealth.

(Al-Mu’jam-ul-Awsat, vol. 1, pp. 431, Hadees 1579)

The dire consequences of not giving ‘Ushr

Question 4: What are the dire consequences of not giving ‘Ushr?

Answer: Dire warnings have been mentioned in the Holy Quran and blessed Ahadees for the one who does not give ‘Ushr. Allah عَزَّوَجَلَّ has stated:

وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ
هُوَ خَيْرًا لَّهُمْ ۚ بَلْ هُوَ شَرٌّ لَّهُمْ ۖ سَيُطَوَّقُونَ مَا بَخَلُوا بِهِ يَوْمَ الْقِيَامَةِ ۗ

And those who act miserly in respect to that, which Allah has bestowed upon them by His grace, must never think that it is good for them; rather, it is bad for them. Soon, in which they were miserly, shall be a collar (in the form of a snake) around their necks on the Day of Resurrection.

[Kanz-ul-Iman (translation of Quran)] (Part 4, Surah Aal-e-Imran, Ayah 180)

Sayyiduna Abu Hurayrah رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: The person whom Allah عَزَّوَجَلَّ has given wealth and he does not pay its Zakah, on the Day of Judgement, that wealth will be converted into the form of a bald snake which will have two spots on its head; that snake will be put around his neck after being made a collar. Then [it] will hold the corners of his lips and say: ‘I am your wealth, I am your treasure’.

Thereafter, the Beloved and Blessed Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ recited the following Ayah:

وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ
هُوَ خَيْرًا لَّهُمْ ۚ بَلْ هُوَ شَرٌّ لَّهُمْ ۖ سَيُطَوَّقُونَ مَا بَخَلُوا بِهِ يَوْمَ الْقِيَامَةِ ۗ

And those who act miserly in respect to that, which Allah has bestowed upon them by His grace, must never think that it is good for them; rather, it

is bad for them. Soon, in which they were miserly, shall be a collar (in the form of a snake) around their necks on the Day of Resurrection.

[*Kanz-ul-Iman (translation of Quran)*] (Part 4, Surah Aal-e-Imran, Ayah 180)
(*Sahih Bukhari, Kitab-uz-Zakah, vol. 1, pp. 474, Hadees 1403*)

Sayyiduna Bareedah رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool ﷺ said: The nation which will not give Zakah, Allah عَزَّوَجَلَّ will make it suffer from drought.

(*Al-Mu'jam-ul-Awsat, vol. 3, pp. 275, Hadees 4577*)

Sayyiduna Ameer-ul-Mu'mineen 'Umar Farooq-e-A'zam رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool ﷺ said: The wealth that gets destroyed in the land and sea, gets destroyed because of not giving Zakah.

(*Kanz-ul-Ummal, Kitab-uz-Zakah, vol. 6, pp. 131, Hadees 15803*)

For which agricultural produce is 'Ushr Wajib?

Question 5: For which agricultural produce of land is 'Ushr Wajib?

Answer: The items whose agricultural produce is for the purpose of gaining benefit from the land, whether it is grain, fruits, or vegetables, etc. For example, wheat, barley, rice, sugarcane, cotton, sorghum, rice crop, millet, peanut, corn, sunflower, mustard seeds, alfalfa, etc. lie under the category of grain.

Melon, mango, guava, orange, loquat, apple, sapodilla, pomegranate, pear, Japanese fruit, papaya, coconut, watermelon, Falsah [a fruit like blackcurrant], Jamun [a fruit like blackberry], lychee, lemon, apricot, peach, dates, plum, pineapple, grapes, etc. lie under the category of fruits.

Armenian cucumber, round gourd, bitter gourd, okra, ridge gourd, potato, tomato, green chilli, capsicum, mint, cucumber, armenian cucumber (fresh), taro, mustard, cauliflower, cabbage, turnip, carrot, beetroot, peas, onion, garlic, spinach, coriander, different types of saag, fenugreek, aubergine, etc. lie under the category of vegetables.

‘Ushr (i.e. one-tenth part) or half-‘Ushr (i.e. one-twentieth part) is Wajib from the agricultural produce of all the aforementioned items. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 186*)

In Surah Al-An’aam, Allah عَزَّوَجَلَّ has stated:

وَأْتُوا حَقَّهُ يَوْمَ حَصَادِهِ

And pay the due (‘Ushr) from it on the day it is harvested.

[Kanz-ul-Iman (translation of Quran)] (Part 8, Surah Al-An’aam, Ayah 141)

A’la Hadrat Imam Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ has stated: According to most of the Mufasssireen [Quranic exegetes] such as Sayyiduna Ibn Abbas, Taa’oos, Hasan, Jabir Bin Zayd and Sa’eed Bin Al-Musayyab رَضِيَ اللهُ عَنْهُمْ, this ‘due’ refers to ‘Ushr.

(Fatawa Razawiyyah referenced, Kitab-uz-Zakah, vol. 10, pp. 65)

The Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ has stated: There is ‘Ushr or half-‘Ushr in everything produced by the earth.

(Kanz-ul-Ummal, vol. 6, pp. 140, Hadees 15873)

Sayyiduna Jabir رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: There is ‘Ushr (i.e. giving one-tenth part is Wajib) for the fields which receive water through rain and river, and there is half-‘Ushr (i.e. one-twentieth part is Wajib) for the fields which are watered through camels.

(Sahih Muslim, Kitab-uz-Zakah, pp. 488, Hadees 981)

Question 6: What is meant by half-‘Ushr?

Answer: Half-‘Ushr refers to one-twentieth (1/20) part.

(Bahar-e-Shari’at, vol. 1, part 5, pp. 916)

‘Ushr for the honey produced?

Question 7: Will ‘Ushr be given also for the honey produced on the land of ‘Ushr?

Answer: Yes. *(Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 186)*

For which agricultural produce is ‘Ushr not Wajib?

Question 8: For which agricultural produce is ‘Ushr not Wajib?

Answer: There is no ‘Ushr for the items whose produce is not for the purpose of gaining benefit from land. For example, fuel, grass, cane, reed, Jhao (a riverine plant used to make baskets), date palm leaves, etc. Besides these, the seeds of every type of vegetable and fruit as their agricultural produce is for the purpose of obtaining vegetables and fruits, not the seeds. Moreover, there is no ‘Ushr for the seeds used as medicine such as the seeds of frankincense tree, fenugreek, nigella, etc. Likewise, ‘Ushr is not Wajib for the things which are attached to land such as trees, and the things which are produced by trees such as gum.

However, if grass, cane, Jhao (a riverine plant used to make baskets), etc. are for the purpose of obtaining the benefits of land and the land has been dedicated for them, then ‘Ushr is Wajib for them as well. There is no ‘Ushr for cotton plants and aubergine plants but there is ‘Ushr for the agricultural produce of cotton and

aubergine obtained from them. (*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 315; Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 186*)

The minimum amount for ‘Ushr to become Wajib

Question 9: What is the minimum amount of grain, fruits and vegetables necessary for ‘Ushr to become Wajib?

Answer: There isn’t any specific amount of grain, fruits and vegetables for ‘Ushr to become Wajib. In fact, whatever amount of grain, fruits and vegetables is obtained from the land, it will be Wajib to give ‘Ushr or half-‘Ushr for it.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, ibid*)

‘Ushr on a Na-Baaligh or an insane person

Question 10: If the owner of the agricultural produce of these items is a Na-Baaligh or an insane person, will he have to give ‘Ushr as well?

Answer: Since ‘Ushr is given for the agricultural produce of land, whosoever is the owner of this agricultural produce will give ‘Ushr even if he is a Na-Baaligh or an insane person.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 185; summarised*)

‘Ushr on a debtor

Question 11: Is a debtor exempted from ‘Ushr?

Answer: A debtor is not exempted from ‘Ushr. Therefore, if a person purchased land after borrowing money or the cultivator was already a debtor or he cultivated [crops] after borrowing money, in all of these cases, ‘Ushr is Wajib on the debtor as well.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 314*)

‘Allamah ‘Aalam Bin ‘Alaa Al-Ansari رَحْمَةُ اللهِ عَلَيْهِ has stated: Contrary to Zakah, ‘Ushr becomes Wajib on a debtor as well.

(Fatawa Tataar Khaniyah, Kitab-ul-‘Ushr, vol. 2, pp. 330)

‘Ushr on a Shar’i Faqeer

Question 12: Is ‘Ushr Wajib on a Shar’i Faqeer as well?

Answer: Yes, ‘Ushr is Wajib on a Shar’i Faqeer as well because the reason for ‘Ushr becoming Wajib’ is the actual agricultural production from Zameen-e-Naami (land capable of agricultural production). In this matter, it doesn’t make any difference whether the owner is a Ghani or a Faqeer.

(Derived from: Al-‘Inayah wal-Kifayah, Kitab-uz-Zakah, vol. 2, pp. 188)

Is the completion of a year a condition for ‘Ushr or not?

Question 13: Is the completion of a year a condition for ‘Ushr to become Wajib?

Answer: The completion of a year is not a condition for ‘Ushr to become Wajib. In fact, if there is agricultural production a few times in a year on the same farm, ‘Ushr is Wajib each time.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 313)

The ‘Ushr of different fields

Question 14: Different methods are employed to provide water to different fields. Is ‘Ushr (i.e. only one-tenth) Wajib for every type of field?

Answer: Its details are as follows:

- ‘Ushr, i.e. one-tenth part is Wajib for the field that receives water through rain, a canal or stream (without paying the charges).
- Half-‘Ushr, i.e. one-twentieth part is Wajib for the field which is watered through a well bucket (or through one’s own tube well), etc.
- If the field is watered by purchasing water (of a canal, a tube well, etc.), i.e. the water is owned by someone and the field is watered after purchasing it from him, even then, half-‘Ushr is Wajib.
- If a field receives water through rain for some days and it is watered through a well bucket (or through one’s own tube well), etc., for some other days, ‘Ushr is Wajib in case the field receives water mostly through rain and it is watered sometimes through a well bucket (or through one’s own tube well), etc.; otherwise, half-‘Ushr is Wajib.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 316)

The ‘Ushr of rented fields

Question 15: Will there be ‘Ushr for the agricultural produce of a rented field as well?

Answer: Yes, there will be ‘Ushr for the agricultural produce of a rented field as well.

Question 16: Who will give this ‘Ushr?

Answer: It will be Wajib on the cultivator to give this ‘Ushr.

(Rad-dul-Muhtar, vol. 3, pp. 314)

Who will give ‘Ushr if the owner of a land does not cultivate it himself?

Question 17: If the owner of a land does not take part in the cultivation himself but involves farmers in it, will ‘Ushr be [Wajib] on the farmer or the owner of land?

Answer: The two cases in this regard are as follows:

- If a farmer here refers to the person who takes land [for cultivation] with an agreement of a share in the agricultural produce, i.e. a half, one-third, etc. of the agricultural produce belongs to the owner of the land, and the rest to the farmer, then ‘Ushr will be Wajib on both of them according to their share. In *Bahar-e-Shari’at*, Maulana Mufti Muhammad Amjad ‘Ali A’zami رَحْمَةُ اللهِ عَلَيْهِ has stated: If the land of ‘Ushr is given with an agreement of a share in the agricultural produce, there is ‘Ushr on both. (*Bahar-e-Shari’at*, vol. 1, part 5, pp. 921)
- If a farmer here refers to the person to whom the owner of the land rents out the land, for example, Rs. 50,000 per acre, then there will be ‘Ushr on the farmer, not on the owner of the land. (*Derived from: Bida`i-us-Sana`i*, vol. 2, pp. 84)

‘Ushr of jointly owned land

Question 18: Who will give ‘Ushr for jointly owned land?

Answer: Being the owner of land is not a condition for giving ‘Ushr; in fact, being the owner of agricultural produce is a condition. Therefore, a person will give ‘Ushr of as much as agricultural produce he owns. It is stated in *Fatawa Shaami*: Being the owner of land is not a condition for ‘Ushr to become Wajib; in

fact, being the owner of agricultural produce is a condition because ‘Ushr becomes Wajib on agricultural produce, not on land. Being the owner of land and not being the owner of land is the same [in this regard]. (*Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 314*)

‘Ushr for home-grown agricultural produce

Question 19: Will there be ‘Ushr on the agricultural produce obtained from a house or a graveyard?

Answer: ‘Ushr is not Wajib on the agricultural produce obtained from a house or a graveyard.

(*Durr-e-Mukhtar, Kitab-uz-Zakah, vol. 3, pp. 320*)

The deduction of expenses before giving ‘Ushr

Question 20: Will ‘Ushr be given for the total agricultural produce or for the remaining amount of agricultural produce after deducting the expenses, etc.?

Answer: For the agricultural produce on which ‘Ushr or half-‘Ushr is Wajib, ‘Ushr or half-‘Ushr of the total agricultural produce will be given. It is wrong to assume that ‘Ushr or half-‘Ushr will be given of the remaining amount of agricultural produce after deducting the cost of cultivation, plough, bulls, the salaries of security personnel and workers, or the expenses of seeds, fertiliser, insecticides and pesticides, etc.

(*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 317*)

Question 21: Will the land tax paid to the government be deducted from the agricultural produce or not?

Answer: No, even the land tax will not be separated from the agricultural produce. In fact, calculation of ‘Ushr will be made by including it as well.

Giving ‘Ushr

Question 22: When will ‘Ushr be given?

Answer: When the agricultural produce is obtained, i.e. the produce ripens or the fruits grow to the extent that benefit can be obtained from them, ‘Ushr will become Wajib. ‘Ushr will have to be given by making calculation after harvesting the agricultural produce or picking fruits.

(Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 321)

Giving ‘Ushr in advance

Question 23: Can ‘Ushr be given in advance?

Answer: There are a few cases regarding this matter which are as follows:

1. When the agricultural produce becomes ready, it is permissible to give its ‘Ushr in advance.
2. If [‘Ushr] is given after sowing the seeds when the agricultural produce appears, it is still permissible.
3. If [‘Ushr] is given after sowing the seeds before the appearance of agricultural produce, it is not permissible to give [‘Ushr] in advance according to the more authentic opinion.

4. If [the ‘Ushr] is given before the appearance of fruits, it is not permissible to give it in advance; giving it after the appearance of fruits is permissible.

(Fatawa ‘Aalamgiri, Kitab-uz-Zakah, vol. 1, pp. 186)

Note: Even though it is permissible in some of the aforementioned cases to give ‘Ushr in advance, it is Afdal [better] to give ‘Ushr after obtaining the agricultural produce.

(Al-Bahr-ur-Ra`iq, Kitab-uz-Zakah, vol. 2, pp. 392)

The meaning of ‘the appearance of fruits’ and ‘agricultural produce becomes ready’

Question 24: What is meant by ‘the appearance of fruits’ and ‘agricultural produce becomes ready’?

Answer: It means that the agricultural produce becomes ready and the fruits ripen to the extent that there remains no fear that they will spoil, dry, etc., even if they have not grown to the extent that they can be picked or harvested.

(Derived from: Fatawa Razawiyah, vol. 10, pp. 241)

The ruling on ‘Ushr if the agricultural produce has been sold

Question 25: Will ‘Ushr be [Wajib] on the seller or the buyer if the fruits are sold after they appear and the agricultural produce becomes ready?

Answer: In this case, ‘Ushr will be [Wajib] on the seller.

(Derived from: Fatawa Razawiyah, vol. 10, pp. 241)

Delaying giving ‘Ushr

Question 26: What if someone delays giving ‘Ushr?

Answer: Basically, the Zakah of agricultural produce is termed as ‘Ushr. Therefore, the laws of giving ‘Ushr are the same as the laws of the payment of Zakah. So, the person who delays giving ‘Ushr without any valid reason is a sinner and his testimony is not accepted. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, chap. 1, vol. 1, pp. 170*)

Question 27: What should be done if someone does not give ‘Ushr despite the fact that it becomes Wajib?

Answer: The Islamic ruler can forcefully take ‘Ushr from the person who does not give ‘Ushr willingly. ‘Ushr will be regarded as paid in this case as well but the person is not deserving of Sawab [reward]. However, he becomes deserving of Sawab if he gives it willingly. (*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 185*)

Note: Remember! Only the Islamic ruler has the authority to take ‘Ushr forcefully; the general public do not have this authority. In such case, persuade the person to give ‘Ushr and make him realise [the consequences of] the displeasure of Allah عَزَّوَجَلَّ. Moreover, it will be greatly beneficial to give the booklet ‘*Ushr kay Ahkam*’ or this book ‘*Faizan-e-Zakat*’ as a gift to such people for studying, اِنْ شَاءَ اللهُ.

Using agricultural produce before giving ‘Ushr

Question 28: Can agricultural produce be used before giving ‘Ushr?

Answer: It is not permissible to use anything from agricultural produce unless ‘Ushr is given or separated from agricultural produce. If a person has used it [before giving ‘Ushr], he should

pay compensation equal to the amount of ‘Ushr of the quantity he has used. However, if a person has used a small amount, it is forgiven. (*Durr-e-Mukhtar, Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 321, 322*)

What if a person passes away before giving ‘Ushr?

Question 29: If a person on whom ‘Ushr is Wajib passes away and the agricultural produce is also present, will ‘Ushr be given from it?

Answer: In this case, ‘Ushr will be given from the agricultural produce if it is present.

(*Al-Fatawa Al-Hindiyyah, Kitab-uz-Zakah, vol. 1, pp. 185*)

Giving money as ‘Ushr

Question 30: Is it necessary to give only agricultural produce as ‘Ushr or can its price also be given?

Answer: From the present agricultural produce, separating the complete ‘Ushr of the total amount of grain or fruits or giving its complete price (as ‘Ushr) are both permissible methods.

(*Al-Fatawa Al-Mustafawiyah, pp. 298*)

What if a person has not given ‘Ushr for a long time?

Question 31: What should be done if a person has not given ‘Ushr for many years?

Answer: He should repent for withholding ‘Ushr, and after calculating the ‘Ushr of the previous years, he should keep on giving it as per his financial capacity.

(*Al-Fatawa Al-Mustafawiyah, pp. 298*)

What if a person does not cultivate land?

Question 32: Will ‘Ushr still be Wajib on a person if he does not cultivate land despite being capable of it?

Answer: If someone does not cultivate land despite being capable of it, it is not Wajib on him to give ‘Ushr because there is no agricultural produce; ‘Ushr becomes Wajib for the agricultural produce of land, not for the land itself.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 323)

The ruling on ‘Ushr if agricultural produce gets destroyed

Question 33: Will ‘Ushr be Wajib if agricultural produce gets destroyed due to a certain reason?

Answer: If a person sows seeds but the agricultural produce gets destroyed, for example, it gets flooded, or gets destroyed due to fire, the heat or the cold, ‘Ushr will stand remitted in all these cases provided that the complete agricultural produce gets destroyed. However, if some of it remains, the ‘Ushr of that remaining amount will be taken. Moreover, (‘Ushr) will not stand remitted if animals eat the agricultural produce. For (‘Ushr) to stand remitted, it is a condition that the field is not capable of producing agricultural produce again afterwards during the same year; it is also a condition that [the agricultural produce] gets destroyed before picking or harvesting, otherwise [‘Ushr] will not stand remitted.

(Rad-dul-Muhtar, Kitab-uz-Zakah, vol. 3, pp. 323)

To whom should ‘Ushr be given?

Question 34: To whom should ‘Ushr be given?

Answer: Since the Zakah of the agricultural produce of land is termed as ‘Ushr, ‘Ushr can be given to the people to whom Zakah can be given. (*Al-Fatawa Al-Khaniyah, Kitab-uz-Zakah, vol. 1, pp. 132*)

Kharif crops, fruits and vegetables

Kharif: It refers to the crops of the summer season which are sown in the beginning of the summer season, March-June, and harvested at the end of the summer season and in the autumn season, August-November.

Important Kharif crops

Cotton, sorghum, rice crop, millet, peanut, corn, sugarcane and sunflower are important Kharif crops. Mung dal [lentils], Maash dal, and black-eyed beans are cultivated in the Kharif season.

Vegetables: Bottle gourd, round gourd, bitter gourd, okra, ridge gourd, potato, tomato, green chilli, capsicum, mint, cucumber, Armenian cucumber (fresh), and taro are included in the crops of summer season.

Fruits: Melon, watermelon, mango, Falsah [a fruit like blackcurrant], Jamun [a fruit like blackberry], lychee, lemon, apricot, peach, dates, plum, pineapple, and grapes are included in the crops of summer season.

Rabi’ crops, fruits and vegetables

Rabi’: It refers to the crops of the winter season which are sown in the beginning of the winter season, October-December, and harvested at the end of the winter season and in the spring season, January-April.

Important Rabi' crops: Wheat, chickpeas, barley, berseem, mustard, mustard seed, alfalfa and Masoor dal are included in the important Rabi crops.

Vegetables: Cauliflower, cabbage, turnip, carrot, beetroot, peas, onion, garlic, mooli, spinach, coriander, different types of saag, and fenugreek are included in the Rabi' crops.

Fruits: Orange, loquat, jujube, guava, apple, sapodilla, pomegranate, pear, persimmon (Japanese fruit), papaya and coconut are included in the Rabi crops. Usually, honey is also obtained with the Rabi crops [i.e. in the same time period].

THE DIRE CONSEQUENCES OF BEGGING

Dear Islamic brothers! Begging is not considered wrong in the present era. Healthy people who can earn a livelihood for themselves as well as for their household are found begging. Remember! Without Shar'i permission, begging is Haraam and an act that leads towards Hell. (*Fatawa Razawiyyah referenced, vol. 10, pp. 253*)

6 SAYINGS OF THE BELOVED RASOOL ﷺ REGARDING THE CONDEMNATION OF BEGGING

1. Sayyiduna 'Abdullah Bin 'Umar رَضِيَ اللهُ عَنْهُمَا has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: A person amongst you will keep on begging until he meets Allah عَزَّوَجَلَّ in such a state that there will not be even a single piece of flesh on his face. (*Sahih Muslim, Kitab-uz-Zakah, pp. 518, Hadees 1040*)
2. Sayyiduna Samurah Bin Jundub رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: Begging is a type of scratch,

as a person claws at his face by begging. The one who wishes may retain this scratch on his face and the one who wishes may leave it [i.e. abandon begging]. (*Sunan Abi Dawood, Kitab-uz-Zakah, vol. 2, pp. 168, Hadees 1639*)

3. Sayyiduna ‘Aaiz [عائذ] Bin ‘Amr رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: If people knew what lies in begging [i.e. how bad it is], no one would go to anyone with [his] need. (*Sunan Nasa`ee, Kitab-uz-Zakah, vol. 5, pp. 95*)
4. Sayyiduna Abu Hurayrah رَضِيَ اللهُ عَنْهُ has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: He who begs for [the purpose of] increasing wealth, begs for firebrand, so it’s up to him; he may beg for more or beg for less.
(*Sahih Muslim, Kitab-uz-Zakah, pp. 518, Hadees 1040*)
5. Sayyiduna Ibn ‘Abbas رَضِيَ اللهُ عَنْهُمَا has narrated that the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: The one who has neither faced hunger nor has so many family members whose needs he cannot fulfil, opens the door of begging, [then] Allah عَزَّوَجَلَّ will open the door of hunger for him from such a place which is beyond his thought. (*Shu’ab-ul-Iman, vol. 3, pp. 274, Hadees 3526*)
6. Sayyiduna ‘Abdullah Bin ‘Umar رَضِيَ اللهُ عَنْهُمَا has narrated that, while telling about Sadaqah and about refraining from begging, the Beloved Rasool صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said: The upper hand is better than the lower hand. The upper hand is the one that gives and the lower hand is the one that begs.
(*Sahih Muslim, Kitab-uz-Zakah, pp. 515, Hadees 1033*)

A MADANI REQUEST

It is a humble request to the fortunate Islamic brothers and Islamic sisters who pay Zakah that give your Zakah to the close relatives who are also deserving of Zakah, or try to give it to such place where it is not only permissible to give but this Sadaqah becomes great Sawab-e-Jariyah [Sawab that keeps on increasing] for you. In order to understand it, suppose you wish to start a business and the following two types of business are under your consideration:

1. The one in which you will receive benefit only once and never again.
2. The one in which you will receive benefit till the Day of Judgement.

You would definitely select the second type of business. **الْحَمْدُ لِلَّهِ**, Dawat-e-Islami – a Madani movement of devotees of Rasool – is carrying out Madani activities in more or less 104 departments. Kindly give your Zakah, ‘Ushr, Sadaqahs and other charity to Dawat-e-Islami and also make individual efforts on your relatives, neighbours and friends and deliver their Zakah, ‘Ushr and other donations to the Madani Markaz of Dawat-e-Islami or give it to any responsible Islamic brother, or call Madani Markaz and ask any Islamic brother to come and then give it to him. May Allah **عَزَّوَجَلَّ** bless you with the love of Madinah.

أَمِينٌ بِجَاهِ النَّبِيِّ الْأَمِينِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ

FOR BECOMING A PIOUS AND SALAH-OFFERING MUSLIM

Spend the whole night in the weekly Sunnah-Inspiring Ijtima' of Dawat-e-Islami held every Thursday after Salat-ul-Maghrib in your city, for the pleasure of Allah ﷻ with good intentions. In order to learn Sunnahs, make it your routine to travel with a 3-day Madani Qafilah every month with the devotees of Rasool, to fill out the Madani In'amaat booklet every day practising Fikr-e-Madinah and to submit it to the relevant responsible Islamic brother of your locality on the first date of every Madani month.

My Madani Aim: 'I must strive to reform myself and people of the entire world, بِإِذْنِ اللَّهِ ﷻ.' In order to reform ourselves, we must act upon Madani In'amaat and to strive to reform people of the entire world, we must travel with Madani Qafilahs, بِإِذْنِ اللَّهِ ﷻ.



Aalami Madani Markaz, Faizan-e-Madinah, Mahallah Saudagaran
Purani Sabzi Mandi, Bab-ul-Madinah, Karachi, Pakistan

UAN: +92 21 111 25 26 92 | Ext: 7213

Web: www.maktabatulmadinah.com | E-mail: feedback@maktabatulmadinah.com