

# Alfataw Ash-shazlia

## The book of Zakah

Mufti Muhammad Abubaker Siddiq  
Al-Qadri Ash-Shazli

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Al-Qadri Ash-Shazli

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People of UK can contact  
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## Preface

Alhamdulillah by the grace of the Almighty Allah, 14<sup>th</sup> book of FALAAH-U-DARAIN series of free books is in your hands. This book is a selection from my previously written five thousand (5000) English fatawas. This effort has been made so that those who are not comfortable with reading Urdu can be benefited. The basic aim of this book is to enlighten the people about the basic problems of purification in an easy way. However, if there is any query, please feel free to contact us by post at address of Tooba Welfare Trust or can post their questions on our web-site, [www.toobawelfare.com](http://www.toobawelfare.com).

May Allah accept this effort and reward all those who helped me in producing this book.

Further those who want to be the part of this “FALAAH-U-DARAIN” series can become the member by sending postage expenses of one year to TOOBA WELFARE TRUST (International). You can also make donations for this purpose. Please contact Allama Abdul Qadir on the following number;  
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**Muhammad Abubaker Siddiq  
Al-Qadri Ash-Shazli**

**Tooba Welfare Trust (int’)  
Jamay Masjid Tooba  
Millat Garden Society**

**Malir-15, Karachi.**  
**Zakah (Purifying Charity)**

**Question No. 1**

What is the meaning of *Zakah*?

**Answer with the help of Almighty Allah**

The literal meaning of *Zakah* (or *Zakat*) is to purify and to grow. According to the terminology of Shariah *Zakah* means to give a part (i.e. 2.5%) of wealth (that reaches to *Nisab*) for the sake of Allah to a Muslim deserving *Zakah*, providing that he may not be a *Hashmi* or a freed slave of a *Hashmi*.

**Religious Status of *Zakah***

**Question No. 2**

Is paying *Zakah* an obligatory act?

**Answer with the help of Almighty Allah**

Yes paying *Zakah* is an obligatory act (*Fard*) and its denier is an infidel (*Kafir*) and who does not pay it, is a disobedient (*Fasiq*) and deserves to be killed and who pays it late is a sinner and his witness will be rejected.

Imam Bukhari and Imam Muslim (*Rahmatullahi alaihim*) narrated by Sayyuduna Abuhurairah (*Radi Allahu anhu*) that after the demise of the Apostle of Allah (*Sallallahu alaihi wa aalihi wasallam*) Sayyuduna Abubakr Siddiq (*Radi Allahu anhu*) was appointed as a caliph. During this time some Bedouin turned to infidelity (because they denied the obligation of *Zakah*) so Sayyuduna Abubakr (*Radi Allahu anhu*) announced jihad against them. Sayyuduna Umar (*Radi Allahu anhu*) said to him that the Apostle of Allah (*Sallallahu alaihi wa aalihi wasallam*) said that “I have been ordered to fight with people until they say لا اله الا الله (There is no deity but Allah). And whoever would pronounce it, he will have protected his life and wealth, except the right of Islam and this matter is concerned to Allah Almighty.” These people pronounce لا اله الا الله so how they can be fought against? Sayyuduna

Abubakr (*Radi Allahu anhu*) said, “By God! I will fight against those who differentiate between prayers (*Salah*) and *Zakah* (means believe in prayer and deny *Zakah*). *Zakah* is a right on wealth, by God! If they deny giving me the kid which they gave to the Prophet (*Sallallahu alaihi wa aalihi wasallam*) I will fight against them. Sayyuduna Umar Farooq (*Radi Allahu anhu*) said that by God! Allah had widened the bosom of Abubakr (*Radi Allahu anhu*) and I recognized that he was right.

Imam Ahmad (*Rahmatullahi alaihi*) narrated in his *Musnad* from Ammarah that the holy Prophet (*Sallallahu alaihi wa aalihi wasallam*) said, “Allah has made four things obligatory in Islam. Whoever acts upon three of them, it will not benefit him until he acts upon all four i.e. Prayer, *Zakah*, Fasting in Ramadaan and Hajj of the house of Allah.”

## Reward of paying *Zakah*

### **Question No. 3**

What is the reward of paying *Zakah*?

#### **Answer with the help of Almighty Allah**

*Zakah* is called *Zakah* because it purifies the lawful earning of a believer as well as increases the wealth.

Almighty Allah says,

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا

(*Al tauba Verse: 103*)

**Translation:** “O beloved prophet! Realize the poor-due (*Zakah*) out of their wealth to purify them and cleanse them therewith.”

Almighty Allah says,

وَمَا أَنْفَقْتُمْ مِنْ شَيْءٍ فَهُوَ يُخْلِفُهُ وَهُوَ خَيْرُ الرَّازِقِينَ

(*Sura Saba Verse: 39*)

**Translation:** “And whatever you spend in the way of Allah, He will recompense you with more. And He is the best of the providers.”

Almighty Allah says,

مَثَلُ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثَلِ حَبَّةٍ أَتَتْ سَبْعَ سَايِلٍ فِي

كُلِّ سَبْتَلَةٌ مَائَةٌ حَبَّةٍ - وَاللَّهُ يَضْعِيفُ لِمَنْ يَشَاءُ - وَاللَّهُ وَاسِعٌ عَلِيمٌ - الَّذِينَ  
يَنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ ثُمَّ لَا يَتَّبِعُونَ مَا أَنْفَقُوا مِنْهُ وَلَا آدَى لَهُمْ  
أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ - قَوْلٌ مَعْرُوفٌ وَمَغْفِرَةٌ  
خَيْرٌ مِنْ صَدَقَةٍ يَتَّبِعُهَا آدَى ۗ وَاللَّهُ غَنِيٌّ حَلِيمٌ -

(Al baqra Verse: 261 to 263)

**Translation:** “The example of those who spend their wealth in the way of Allah is like that of a grain which caused to grow seven ears and in each ear one hundred grains and Allah may increase more than that for whomsoever He pleases; and Allah is Bountiful, All-knowing. Those who spend their wealth in the way of Allah, then after spending, neither boast of favors conferred nor injure, their reward is with their Lord, and they shall have no fear, nor any grief. To speak a kind word and to forgive is better than that; charity followed by injury. And Allah is above want, Clement.”

Imam Bukhari, Muslim, Tirmidhi, Nasai, Ibnu Maja and Ibnu Khuzaima (*Rahmatullahi alaihim*) narrated from Sayyudna Abuhurairah (*Radi Allahu anhu*) that the Apostle of Allah (*Sallallahu alaihi wa aalihi wasallam*) said, “One who gives charity equal to a date from his lawful earning and Allah does not accept but lawful, so Allah accepts his charity with his right hand then He Almighty nourishes this charity for its owner till it becomes like a mountain as one of you cherishes his own calf.”

## Punishment for not paying Zakah

### Question No. 4

What is the punishment for those who do not pay Zakah?

*Answer with the help of Almighty Allah*

Almighty Allah says,

وَلَا يَحْسِبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا أَنعَمَ اللَّهُ مِنْ فَضْلِهِ ۗ هُوَ خَيْرًا لَهُمْ بَلْ هُوَ  
شَرٌّ لَهُمْ سَبُطُوفُونَ مَا بَخُلُوا بِهِ يَوْمَ الْقِيَمَةِ -

(Aal e Imran Verse: 180)

**Translation:** “And let not those who are niggardly with respect to

what Allah has given them out of His bounty think that it is good for them; on the contrary it is bad for them. Soon that for which they were niggardly shall be their necklace on the Day of Resurrection.”

Almighty Allah further says,

وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ - يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتَكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ ۗ هَذَا مَا كُنْتُمْ لَأَنْفُسِكُمْ فَذَوْقُوا مَا كُنْتُمْ تَكْنِزُونَ

(Al tauba Verse: 34-35)

**Translation:** “And those who hoard up gold and silver and spend not in the path of Allah give them the good tidings of a painful torment. The day when they shall be heated in the fire of the Hell, then their foreheads and sides and backs shall be branded therewith. This is what you had hoarded for yourselves, now taste the hoarding.”

Imam Bukhari narrated from Sayyuduna Abuhurairah (*Radi Allahu anhu*) that holy Prophet (*Sallallahu alaihi wa aalihi wasallam*) said, “Whom Allah has given wealth and he did not pay its *Zakah* so this wealth will be brought in shape of a shaved headed snake and there would be two lines on its head. That snake will be put in his neck as necklace and then it will grip his mouth and say, ‘I am your wealth, and I am your treasure. After that the holy Prophet (*Sallallahu alaihi wa aalihi wasallam*) recited the following verse, -----وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ

Imam Tirmidhi, Nasai and Ibnu Maja have narrated the same narration by Sayyuduna Abdullah ibnu Masood (*Radi Allahu anhu*).

## Payers of *Zakah*

### *Question No. 5*

Who are the payers of *Zakah*?

*Answer with the help of Almighty Allah*

*Zakah* is obligatory only upon those who fulfill the

following conditions;

**(1) Islam:**

Therefore *Zakah* is not obligatory upon a non-muslim i.e. if a non-muslim becomes a Muslim he will not be ordered to pay *Zakah* of the duration of his infidelity. (*General books of Fiqh*) God forbid! If a person apostatized, his *Zakah* which he did not pay during his Islam, would be vanished i.e. he will not pay it if he reaccepts Islam. (*Aalamgiri*)

**(2) Maturity:**

Therefore, *Zakah* is not obligatory upon the wealth of an immature whether he may be very rich to say.

**(3) Sanity:**

Therefore, *Zakah* is not obligatory upon an insane. Likewise it is not obligatory upon a mad if his madness covers a whole lunar year. If he gets relief in the beginning and the last of the year, *Zakah* is obligatory upon him. (*Jauhara, Aalamgiri*)

**(4) Freedom:**

Therefore, *Zakah* is not obligatory upon a slave. (*Aalamghiri*)

**(5) Nisaab:**

Therefore, *Zakah* is not obligatory upon a wealth less than *Nisaab*. *Nisaab* means the least quantity of wealth which makes its owner a rich in the eyes of Shariah. If the wealth of person reaches to the quantity of *Nisaab* as well some other conditions are found *Zakah* will be obligatory upon it. The least quantity of gold which makes a person owner of *Nisaab* (*Sahibe Nisaab*) is 87.48 grams. Likewise the least quantity of silver which makes a person owner of *Nisaab* is 612.36 grams. Currency equal to the price of 87.48 grams gold or 612.36 grams silver so its owner is also an owner of

*Nisaab*. Now a day, the price of silver is less than gold therefore, if somebody has wealth or trading goods equal to the mentioned price of silver so he is also an owner of *Nisaab*.

If anybody possesses a little quantity of gold and a little quantity of silver but both of them do not reach to the quantity of *Nisaab* so the prices of both elements will be counted. If the sum of both prices equals to the price of 612.36 grams silver he will be owner of *Nisaab* in the eyes of Shariah. Likewise the same ruling applies when anybody possesses some gold, some silver and some currency or some gold and some currency or some silver and some currency, means the sum of each equals to the price of *Nisaab* of silver so its owner is also an owner of *Nisaab*.

#### **(6) Complete ownership**

One must possess the *Nisaab*. If he neither possesses it physically nor constructively then he will not have to pay the *Zakah* of the duration he did not possess it. Therefore, any lost wealth or sunk in river or anybody snatched his wealth and he has not two witnesses for this act of snatching or he buried his wealth in a jungle and forgot the place where he buried it or he deposited it with a person but forgot the depository or a debtor refuses the debt and he has not witnesses to prove it, so in all mentioned cases *Zakah* is not obligatory upon its owner. Yes, if he receives this money and then a whole lunar year passed over it he will have to pay the *Zakah* of this year only. (*Durrul Mukhtaar & Raddul Muhtaar*)

Likewise *Zakah* is not obligatory upon a mortgaged item, neither upon mortgager nor upon mortgagee because mortgagee is not its owner while mortgager does not have complete ownership due to the lack of possession. He will not pay its *Zakah* for the period of mortgage, after taking it back. (*Durrul Mukhtaar and other books*)

## Conditions relating to the wealth

### **Question No. 6**

What are those conditions, which are necessary to be found in a wealth for being *Zakah* an obligation?

### **Answer with the help of Almighty Allah**

If any Muslim fulfills the mentioned above conditions, he is eligible for paying *Zakah*. Now I will mention those conditions, which are necessary to be found in a wealth for the obligation of *Zakah*, means *Zakah* is not obligatory upon every type of wealth but paid on a wealth that fulfills the following conditions.

### **(7) Free from liability**

A person is owner of *Nisaab* but he is debtor of a loan as well, if he pays loan to his creditor, the rest of his wealth does not equal to *Nisaab*, he is not eligible for the obligation of paying *Zakah* whether this debt belongs to a man like simple loan, the price of a purchased thing, any penalty or it belongs to Almighty Allah like *Zakah*. For example a person is an owner of one *Nisaab* only and did not pay *Zakah* since last two years, now it is obligatory upon him to pay the *Zakah* of first year only, not of second year, because the amount of *Zakah* of the first year is a debt upon him, if he pays it, he will remain no more an owner of *Nisaab*. Therefore, *Zakah* of second year is not obligatory upon him. (*Aalamghiri & Raddul Muhtaar*) However, if a person is under the obligation of paying *Zakah* but if he remains the owner of *Nisaab* after paying his debt, he will have to pay the *Zakah* of remaining *Nisaab*.

### **Note:**

It should be known the debt which stops from paying *Zakah*, is only that debt which is found before obligation of *Zakah*. If any debt comes in responsibility after *Zakah* becoming an obligation, he, anyhow, will have to pay *Zakah*. (*Raddul Mukhtaar*) If he is not a debtor (*Maqrooz*) rather he is a guarantor (*Kafeel*) of a debtor and *Nisaab* would not rest after paying

guaranty money, so *Zakah* is not incumbent upon the rested money because it does not reach to the quantity of *Nisaab*. (*Raddul Muhtaar*)

**(8) *Nisaab* must be free from basic needs**

Basic needs mean those things which are indispensable to pass life hence *Zakah* is not incumbent on things like residential house, dresses for summer and winter, articles of household, animal or vehicle for transportation, ammunitions for safety, tools for workers like plough for a farmer, books for scholars, food for eating and etc. (*Hidayah & Aalamgiri*)

**(9) Wealth must be growing (*Naami*)**

Wealth must be growing whether growth may be in real or constructively i.e. if he wants to grow it, he can, meaning it maybe in his own possession or in the possession of his agent. Growing wealth is of two kinds;

**a)** If it has been merely created for this purpose, it is called *Khalaqi* (growing by nature) like gold and silver, both of these have been created to purchase things by them.

**b)** Or if it is not created for this purpose but this purpose can be attained by it, it is called *Fi'ali* (not by nature). Everything save gold and silver, are *Fi'ali* because trade grows everything.

Therefore, *Zakah* is absolutely incumbent upon gold and silver if it reaches to the quantity of *Nisaab*, even it is be buried, whether it is used for trading or not. On the contrary, *Zakah* will only be incumbent upon other things, save gold and silver, when they are kept with the intention of trading or they are freely-grazing livestock kept for milk, breeding or fattening: camels, cows, sheep and goats.

**(10) Passing a whole year**

If a person possesses wealth equivalent to *Nisaab* and he fulfills all the above mentioned conditions, paying of *Zakah* will

not be incumbent upon him until a complete year passes on this *Nisaab* in his ownership. Here, year refers to a lunar year, means twelve months according to lunar calendar. If *Nisaab* reduces during the year but it is found complete in the commencement of the year and in its end, so such drawdown in *Nisaab* will not affect the obligation of *Zakah*.

It should be kept in mind that passing a complete year upon every part of *Nisaab* is not a condition rather if a person who owns a *Nisaab*, gets some more wealth of same kind during the year, the year of newly gained wealth will not be a separate year rather when the year of the previous wealth completes, the year of new wealth will also complete. For example, you owned 30000 rupees at 12<sup>th</sup> Rabbi-ul-Awwal and this money was free from debt and basic needs (*Hajate Asliya*). It will be the beginning of the year of *Zakah* on your 30000 rupees. In the same year you got supposed 20000 rupees, during the month of *Ramadan* or *Muharram* or a day before 12<sup>th</sup> *Rabbi-ul-Awwal*. When the day of next *Rabbi-ul-Awwal* will reach, the year of *Zakah* will be completed on this recent wealth also. And if you gained the wealth of another kind for example you possessed Camels and now you owned goats, the year of goats will be a separate year.

## Recipients of *Zakah*

### Question No. 7

Who are the recipients of *Zakah*?

#### *Answer with the help of Almighty Allah*

The recipients of *Zakah* are of eight kinds as Allah Almighty says,

إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمَوْلَافَةَ فَلَوْبِهِمْ وَفِي الرِّقَابِ وَالْغَرْمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ قَرِيبَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

(Altauba Verse: 60)

**Translation:** “The poor-due (*Zakah*) is only for those who are

poor and needy and those who collect it, and for those whose hearts are to be conciliated for Islam, and for the freeing of slaves, and for debtors, and for spending in the way of Allah and for the traveler. This has been ordained by Allah. And Allah is Knowing, Wise.”

Imam Abudawood narrated from Zayad ibnu Harith (*Radi Allahu anhu*) that the Holy Prophet (*sallallahu alaihi wasallam*) said, “Allah did not leave *Zakah* on the opinion of any Prophet or any other person rather He Himself mentioned its rulings and divided it into eight parts.”

The recipients, who have been mentioned in the above verse, must be poor except collector of *Zakah* and traveler. A traveler, even he is rich, is treated as poor during his travel when he did not have the expenses of his travel.

In the coming lines we will introduce all types of recipients briefly.

### **(1) Poor (*Faqeer*)**

In the eyes of Shariah, poor is that person who has something but not so much that it reaches to the quantity of *Nisaab* or who has wealth equivalent to the *Nisaab* but it is utilized in his basic needs like residential house, dresses for summer and winter, articles of household, animal or vehicle for transportation, ammunitions for safety, tools for workers like plough for a farmer, books for scholars, food for eating etc. Or if he has wealth equivalent to *Nisaab* free from basic needs but involved under the responsibility of debt and if he pays the debt, the remaining wealth will not be equal to *Nisaab*. (*Raddul Muhtaar*)

### **(2) Destitute (*Maskeen*)**

*Maskeen* is that person who does not have anything even he has to beg the people for food and dress for covering his body. He is allowed to question for this while a *Faqeer* is not allowed to beg. According to the laws of Shariah, one who possesses food and

dress for covering his body is not allowed to question people. (*Aalamghiri*)

**(3) Collector of Zakah (*Aamil-uz-Zakah*)**

*Aamil* is a person whom the head of state has appointed to collect *Zakah* and *Ushr* (10% of crops). He will be given according to his work that may be sufficient for himself and his helpers but not to the extent that it increases half of what he has collected from people. (*Durr-ul-Mukhtaar*)

**(4) Slave (*Riqaab*)**

Here, slave does not refer to a common slave but it means a *Makatab* slave. *Makatab* slave is one who has made an agreement to pay his cost to his master for attaining freedom. Therefore, he will be given *Zakah* for assisting him.

**(5) Debtor (*Ghaarim*)**

*Ghaarim* means such a debtor if he pays his debt, he will no more be an owner of *Nisaab* even though he has to receive debts from others but he has not ability to receive it. A *Ghaarim* must not be a *Hashemite* meaning he must not be a member of the Holy Prophet's tribe (*sallallahu alaihi wa aalihi wasallam*) or their freed slave. (*Durr-ul-Mukhtaar*)

**(6) Spending in the way of Allah (*Fi-sabeelillah*)**

Man can spend in the way of Allah by various ways. Some examples are given below;

- a. If a person wants to go for *Jihad* but he does not have any vehicle and necessary things for travel, he can be given *Zakah* for this pious purpose even though he is able to earn.
- b. If a person wants to travel for *Hajj* but he does not have any wealth, he can be given *Zakah* but, according to the prophetic teachings, he is not allowed to question people for this purpose.

- c. If a person wants to acquire religious knowledge or he is acquiring it, he can be given *Zakah*. Our prominent jurists wrote that if a student made himself busy in acquiring religious knowledge and does not work for his livelihood because of religious knowledge, he is allowed to question people for this purpose. Likewise using *Zakah* in every virtuous work is to spend in the way of Allah if the wealth of *Zakah* is transferred to the ownership of a *Faqeer*. Therefore, *Zakah* cannot be used in a Masjid, no doubt, to spend in a Masjid is a virtuous deed but money does not transfer to the ownership of a *Faqeer*.

**(7) Traveller (*Ibnus sabeel*)**

It refers to that traveler who does not have wealth during his travel despite of the fact that he has wealth at his home. However, he should not question for more than his need. Likewise, if the wealth of an owner of *Nisaab* has been given to someone as a debt and debt maturity did not reach up till now and the creditor needs money so he is allowed to receive *Zakah* according to his need but it is better for him to take a loan for fulfillment of his need, if possible.

**(8) For softening hearts (*Muallafatul Quloob*)**

It refers to those who were not sure of Islam and *Zakah* money was given to them to soften their hearts towards Islam and Muslims, in the beginning of Islam. This Shariah ruling pertains to the beginning of Islam when the strength of Islam was not apparent completely but when, by the mercy of Allah, the strength of Islam appeared therefore, by the consensus of companions (*Radi Allahu anhum*) this ruling was not practiced as writes the scholar Allama Nasafi in his commentary of the holy Quran. He writes, “The part of ‘*Muallafatul Quloob*’ was finished in the caliphate of Sayyuduna Abubaker Siddiq (*Radi Allahu anhu*) by the consensus of the companions because Allah showed the

admiration of Islam and freed Muslims to seek help from non-muslims. It is a law of Shariah that if any ruling is given because of some special cause, it ends itself when that cause is removed.” Therefore, today *Zakah* cannot be given to non-muslims for *Muallafatul Quloob*.

## Miscellaneous Regulations

### **Question No. 8**

Kindly mention some important rulings regarding paying *Zakah*?

#### **Answer with the help of Almighty Allah**

1) It is allowed to pay *Zakah* to drawdown the debt of a needy person (*Faqeer*) on his request but if it is paid without the request of needy (*Faqeer*) *Zakah* will not be paid.

2) One is not allowed to pay *Zakah* to one’s own father and grandfather, whether they are paternal or maternal father, grandfather even if higher up in ascendancy. Likewise *Zakah* cannot be paid to one’s own mother, grandmother even if higher up in ascendancy.

3) Likewise, it can neither be given to one’s own male child, nor a female child nor his child’s child, even if lower down in descendancy. In the same way one cannot give, charity of *Eid* (*Sadaq-e-Fitr*), vow and expiations to one’s own mentioned above relatives.

4) *Zakah* can be given to one’s own daughter-in-law, son-in-law, stepmother, stepfather, stepson, stepdaughter and other relatives whose provision is incumbent upon him. (*Raddul Muhtaar*)

4) Wife cannot give *Zakah* to her husband and a husband cannot give his wife even though he has divorced his wife three times while she is passing her *iddah* (*iddat*). And he is allowed to give her when her *iddah* will finish. (*Durrul Mukhtaar, Raddul Muhtaar*)

5) If a person does not possess a wealth which *Zakah*

becomes an obligation upon it, for example he possesses costly stones like diamond or he possesses gold but less than quantity of *Nisaab* like 80grams and he does not have any silver or money save his basic needs or he possesses more than one cars though one car is enough for his need but he does not have any wealth eligible for *Zakah*, as I have mentioned it in under the heading “**Kinds of wealth eligible for Zakah**”, so such a person, though he is an owner of *Nisaab* rather many *Nisaabs*, will neither pay *Zakah* nor can accept it.

6) A normal healthy person is eligible of *Zakah* even he is able to earn but he is not allowed to question people for *Zakah*.

(*Aalamgiri and Durrul Mukhtaar*)

7) *Zakah* cannot be given to the immature sons/daughters of a rich man but it can be given to his mature sons/daughters if they are needy (*Faqeer*). (*Aalamghiri*)

8) On the contrary, *Zakah* can be given to the immature child of a needy (*Faqeer*) if the child does not possess wealth which reaches to *Nisaab*.

9) The child whose mother possesses wealth equal to *Nisaab*, can be given *Zakah*. (*Durrul Mukhtaar*)

10) Wife of a rich man can be given *Zakah* if she is not an owner of *Nisaab*. Likewise father of a rich man also can be given *Zakah* if he is needy.

11) A person who possesses a home or shop and rents it and earns a big amount but this rent is not enough for him and his family to nourish them, so he is eligible for *Zakah*. Likewise if a person possesses field but its output is too less to fulfill his needs for a year, he can be given *Zakah* though the price of field is of Millions.

12) *Zakah* cannot be given to a Hashemite (*Banu Hashim*), nor is a Hashemite allowed to give a Hashemite. Hashemite are the offspring of Hazrat Ali, Aqeel, Jaafar, Abbas and Harith (*Radi Allahu anhum*). (*Aalamgiri*)

13) If mother belongs to *Banu Hashim* rather she belongs to

Shareef family {Noble of family of the holy Prophet (*sallallahu alaihi wa aalihi wasallam*)} but father is not a Hashemite so their son is not Hashemite because the pedigree commences from father. Therefore, such a person is eligible for *Zakah* if he is a needy (*Shara'ee Faqeer*).

14) Misguided is not eligible for *Zakah*. Misguided means that person who has adopted new things in his belief against the beliefs of the majority of Muslims. And those who oppose the fundamental beliefs of Islam are also misguided.

15) One who has food of today as well as he is healthy and sound, able to earn his livelihood, is not allowed to question people for his food and if somebody gives him without questioning, he is allowed to accept. If he has food only but does not have dress to cover his body so he is allowed to question people for his dress. Likewise, if one is busy in *Jihad* or acquiring religious knowledge though he is healthy and able to earn his livelihood, he is allowed to question people for his basic needs. It should be kept in mind that it is not lawful to give those who are not allowed to question and whoever gives them due to their question, he commits a sin. (*Durrul Mukhtaar*)

## **Kinds of wealth eligible for *Zakah***

### ***Question No. 9***

Is *Zakah* incumbent upon all types of wealth?

#### ***Answer with the help of Almighty Allah***

Basically *Zakah* is incumbent upon five types of wealth.

1. *Thaman* means gold and silver
2. Trading goods
3. *Saima* animals means freely-grazing livestock kept for milk, breeding or fattening: camels, cows, sheep and goats. (*Tanveer*)
4. Running currency of any country also lies under the rulings of gold and silver. Therefore, *Zakah* will be incumbent

upon it.

5. Likewise prize bonds running in Pakistan are also a valuable wealth according to the majority of scholars and it lies under the rulings of currency because it is a means of sale and purchase rather it is itself can be bought and purchased. Therefore, *Zakah* is incumbent upon prize bonds also.

In short, *Zakah* can be obligatory on five types of wealth;

- (1) Gold (2) Silver (3) Currency (4) Trade-goods (5) *Saima* animals

If, all of the conditions mentioned in previous pages, are found in any of these five types of wealth, meaning this wealth is of a mature, sane Muslim, and it is equivalent to the quantity of *Nisaab*, free from basic needs and debt as well as a complete lunar year passes over it, *Zakah* will be incumbent upon it.

### ***Zakah of miscellaneous***

In the coming lines I will write the regulations about those properties which are eligible for *Zakah*.

#### ***Zakah on gold and silver***

##### ***Question No. 10***

Kindly mention some important rulings of calculating *Zakah* on gold and silver?

##### ***Answer with the help of Almighty Allah***

It has been narrated in *Sunan* Abudawood and Tirmidhi from Sayyuduna *Maula Ali (Radi Allahu anhu)* that the holy Prophet (*sallallahu alaihi wa aalihi wasallam*) said, “I forgive the *Zakah* on horse, male slave and female slave, so now pay one *dirham* of *Zakah* on every forty *dirham* of silver but there is nothing if it is 190 *dirham*, when it reaches 200 *dirham* then pay five *dirham* for *Zakah*.” According to another narration of *Sunan*

Abudawood the holy Prophet (*sallallahu alaihi wa aalihi wasallam*) clearly said, “No *Zakah* applicable on silver if it is less than 200 *dirham* (612.36g). And when it is complete 200 *dirham* then 5 *dirham* would be paid for *Zakah* and if increases more than 200 *dirham* then *Zakah* will be paid according to its counting.”

Imam Tirmidhi narrates by his chain that two women came to the holy Prophet (*sallallahu alaihi wa aalihi wasallam*) and they had bracelets on their wrists. The sacred prophet (*sallallahu alaihi wa aalihi wasallam*) said, “Do you pay its *Zakah* (*Zakah* of bracelets)? They replied, “No.” He (*sallallahu alaihi wa aalihi wasallam*) said, “Do you like that Allah may put bracelets of fire on your wrists?” They said, “No.” Then the Prophet of Allah (*sallallahu alaihi wa aalihi wasallam*) said, “Pay its *Zakah*.”

1. When gold or silver equals to the amount of Nisaab, their *Zakah* will be fortieth part i.e. 2.50% whether it is;
  - a. Raw material,
  - b. or in form of coins like *dirham* (silver coin) or *Dinar* (gold coin) c) or it is shaped in a form whether its use is lawful like jewelry for woman and a ring of silver having one stone, weighs less than 4.50 *masha* for man or chainless buttons of gold and silver for man,
  - c. or its use is unlawful like household utensils of gold and silver, watch, antimony-pot (*Surma dani*) and its stick (*Surma sala'i*), all these things are not lawful for both man and woman
  - d. or it is the stone-less ring of gold or silver or jewelry, or ring of gold or ring of silver weighs more than 4.5 *masha*, in brief whatever it may be, *Zakah* will be paid upon it, if it fulfills the other conditions of obligation of *Zakah* like free from debt, basic needs and passing a whole lunar year over it.
2. *Zakah* is not incumbent on the jewelry of other metals save

gold and silver like jewelry made of platinum, brass, diamonds, ruby and other precious stones. Yes, if the jewelry made of other metals save gold and silver is kept for trading and its price reaches to the *Nisaab* so in presence of other conditions *Zakah* will be incumbent upon it.

3. If gold/silver is mixed with other metals and gold/silver is dominant then its rulings will be that of gold/silver and *Zakah* will be incumbent upon it according to gold/silver, likewise if both are equal then their rulings will be the same. And if alloy or other metal is dominant then it has two forms. First, if the quantity of gold/silver reaches to *Nisaab* when separated from mixed metal or gold/silver does not equal to *Nisaab* but he has some more wealth and the collection of both will be equivalent to *Nisaab*, *Zakah* will be incumbent upon it. Second, if the separated gold/silver does not equal to *Nisaab* nor he has more wealth to sum up with separated gold/silver; *Zakah* will not be incumbent upon it.

### ***Zakah* on cash, traveler check, prize bond & trade-goods**

#### ***Question No. 11***

How can *Zakah* be paid on cash, traveler check, prize bond and trade goods. And what is the *Nisaab* of the mentioned things?

#### ***Answer with the help of Almighty Allah***

1. **Cash** means the running currency of any country, likewise traveler check and prize bond have the same rulings as of cash.
2. According to the rulings of Shariah, in respect of *Zakah* currency and other things resemble it; have the rulings of gold/silver.

3. Therefore, if the running currency reaches the value of 87.48g gold or 612.36g silver, *Zakah* will be incumbent upon it. If one possesses currency more than his basic needs and the extra money does not equal to *Nisaab* but he has some gold or silver and the sum of all these i.e. gold and extra money or silver and extra money or gold, silver and extra money, reaches to *Nisaab*, *Zakah* will be incumbent upon him.

### ***Zakah on debt***

#### ***Question No. 12***

What is a debt? What is the Shariah rulings regarding *Zakah* of a debt?

#### ***Answer with the help of Almighty Allah***

Debt means a loan given by an owner of *Nisaab* to someone and it would be received back in future. It is of three kinds;

1. Trade debt (*Addain-ul-Qawi*)
2. Non-Trade debt (*Addain-ul-Mutawassat*)
3. Other debts (*Addain-ul-Da'eef*)

The Shariah rulings of all three kinds of debts are as under:

**1. *Addain-ul-Qawi* (Trade debt)** stands for simple loan and for the price of trade-goods, for example, he purchased some goods for trade then he sold it to another person on deferred payment so this debt would be an *Addain-ul-Qawi*. Likewise, the fare of trade-wealth, for instance he purchased a house or shop with the intention of trade and gave it for rent so when this rent would be a debt upon lessee, it would be an *Addain-ul-Qawi*. The *Zakah* of trade debt will be an obligation during debt period but it would be incumbent to pay when he will receive at least one fifth of a *Nisaab*. Hence he will pay the *Zakah* of one fifth only.

**2. *Addain-ul-Mutawassat* (Non-Trade Debt)** is a debt of non-trade goods. For example somebody sells his household utensils or

car used for personal purposes or any other thing of basic need and he has to receive its price in future so in this case *Zakah* will only be incumbent to pay when he will receive the money equivalent to *Nisaab* i.e. price of 612.36g silver. Likewise, if someone got a debt in inheritance though it was trade debt, heir will not have to pay its *Zakah* until he got it equal to *Nisaab* as well a whole lunar year passed after the death of the person.

**3. Addain-ul-Da'eef (Other debts)** means the exchange of things which are not counted as wealth. For example the exchange of dower (*mehar*), exchange of *khula* (what is given as an compensation of divorce), *diyot* (blood compensation) and the rent of a house or a shop which was not purchased with the intention of trade. *Zakah* of such a debt will be incumbent when he will receive the money equivalent to a *Nisaab* as well passes a complete lunar year over it in his custody. On the other hand, he received money against his debt but not equal to *Nisaab*, if he possesses the *Nisaab* of same kind, which he received against debt, the year of this recent wealth will be the same as of previously held wealth.

### ***Zakah* of Trade goods**

#### ***Question No. 13***

What is the *Nisaab* of trade goods?

***Answer with the help of Almighty Allah***

Anything purchased for trading is a trade-wealth. If its price reaches the value of *Nisaab* i.e. 612.36g silver or 87.48g gold, *Zakah* will be incumbent upon it.

### **Explanation of trade-wealth**

#### ***Question No. 14***

When does a thing become a trade good?

***Answer with the help of Almighty Allah***

(1) Sometimes the intention of trade is found apparently

and sometimes it is not found clearly but abstractly. Apparent intention of trade means to intend for trade at the time of contract whether it is a purchasing contract or lease contract. Abstract intention of trade means to purchase a thing in exchange of trade-goods though the intention of trade is not apparent but this purchased thing is a trade-wealth. Likewise to rent a trade-house in exchange of goods so these goods are also trade-wealth.

(2) Any contract in which exchange does not take-place for example gift contract, will contract and charity contract or an exchange takes-place but not against wealth for example *mehar*, an exchange of *khula*, and an exchange of *kitabah*, If anybody gets wealth by any of both types of contracts, the intention of trade will not be valid in it. Means though he intends for trade in a wealth possessed by either of two contracts, *Zakah* will not be incumbent on it. Likewise if he possessed such a thing mentioned above he will not pay *Zakah* on it. (*Aalamgiri*)

(3) The basic condition for a thing being trade-wealth is that this intention must be found at the time of purchase-contract whether it is found abstractly. Therefore, if intention is found after contract, *Zakah* will not be incumbent in this wealth. Likewise if a thing is purchased for personal use with the intention that if I get profit I will sell it, *Zakah* will not be incumbent in it.

In brief, if a thing is purchased that profit will be gained by selling it now or in future, so this thing will be treated as a trade-wealth. Therefore, if a thing is purchased but not for trade or someone gifted him or he got it in inheritance, it will not become a trade-wealth by his intention. Likewise if he purchased a thing with the intention of trade but later on he intended for self use, it will no more be a trade-wealth due to the change of intention. Now if he intends again for trade for the same thing it will not become a trade-wealth. (*Alashbah wan nazair*)

However, for anything to be a trade-wealth the following three conditions must be fulfilled;

1. It must be possessed by purchasing.

2. Intention of trade must be found at the time of purchasing.
3. Intention of trade must be maintained till the sale of that wealth.

**Question No. 15**

Is *Zakah* incumbent on tools of trade?

**Answer with the help of Almighty Allah**

*Zakah* will not be incumbent on the things which are used as a tool in trade for example the shop for the trader of cloth, fittings of shop, chairs, meter, scissors and etc. Likewise *Zakah* will not be obligatory upon the land of a mill, its buildings, machineries and vehicles of mill for transportation because all these things are merely tools for trade not the wealth of trade. Likewise *Zakah* is not obligatory upon rented houses and rented motor vehicles rather *Zakah* will be incumbent on their earnings if it retained a whole year and what is spent from this earning before the completion of a lunar year, will be exempted from the obligation of *Zakah*. On the contrary, *Zakah* is incumbent upon the raw material and production of a mill. If a person does not possess trade-wealth equivalent to Nisaab but he has some other kind of wealth like gold or silver or currency more than his basic needs (*Hajate Asliya*) and the sum of these things equals to *Nisaab* so he will pay *Zakah* on this sum. A wholesaler is allowed to value his trade-goods according to wholesale rate.

**Zakah on stock shares**

**Question No. 16**

What is Shariah rulings regarding the *Zakah* of stock shares?

**Answer with the help of Almighty Allah**

If shares are purchased to earn profit by selling it then *Zakah* will be incumbent on the face value of shares. And if shares are purchased to be a partner in its dividend then *Zakah* will not be paid on the face value of share rather it will be paid only on the part of shares which comes in against of the liquid asset of the

stock company because now he is a partner in this company.

## **Intention of Zakah**

### ***Question No. 17***

What is role of intention in paying *Zakah*?

#### ***Answer with the help of Almighty Allah***

According to the famous narration of the holy Prophet (*sallallahu alaihi wa aalihi wasallam*) actions depend upon intention.

1. Therefore, intention of *Zakah* must be present at the time of paying *Zakah* or its separation from other wealth. Intention means that if he is asked about the wealth, he may promptly reply that it is *Zakah*. (*Aalamgiri*)

2. If a person gave charity in the way of Allah for a complete year and now he intends for *Zakah* about what he has given as a charity, *Zakah* will not be paid because the intention of *Zakah* did not take place at the time of spending money. (*Aalamgiri*)

3. A person appointed another as an agent for paying his *Zakah*, he did not intend for *Zakah* when he gave it to the agent but he intended for *Zakah* when agent delivered it to a needy (*Shara'ee Faqeer*), *Zakah* will be valid. (*Aalamgiri*)

4. He did not intend for *Zakah* when he delivered it to a needy but he intended later on so if the needy did not spend this wealth, this late intention is valid otherwise *Zakah* will not be valid. (*Addurul Mukhtaar*)

5. He appointed a person as an agent for paying *Zakah* and gave *Zakah*-wealth to the agent with intention of paying *Zakah* but the agent did not intend for *Zakah* when he gave it to a needy, *Zakah* will be valid because the absence of the intention of an agent does not affect when the actual owner had intended already. (*Addrul Mukhtaar*)

6. When he gave wealth to the agent he said that it is a

voluntary charity (*Nafli Sadqa*) or expiation (*Kaffarah*) but later on he intended for *Zakah* before the paying of the agent to a needy so it would be *Zakah* though the agent gave it with the intention of voluntary charity or expiation. (*Addurrul Mukhtaar*)

7. It is not necessary for paying *Zakah* to pronounce it *Zakah* before whom you are going to pay it, rather mere intention of *Zakah* is enough, even if it is paid intending *Zakah* to a needy but pronouncing it, a gift or a loan, *Zakah* will be valid. (*Aalamgiri*) Likewise, if it is paid with the intention of *Zakah* but pronouncing as a gift to the children or a gift of *Eid* or etc, *Zakah* will be valid. Some needy people (*Shara'ee Fuqra*) do not accept *Zakah* therefore they should not be given *Zakah* pronouncing it *Zakah* rather they should be given by pronouncing other names.

### **To give in ownership of a needy (*Shara'ee Faqeer*)**

#### ***Question No. 18***

Is it necessary for the validity of paying *Zakah*, to make the recipient its owner?

#### ***Answer with the help of Almighty Allah***

(1) It is necessary for the validity of paying *Zakah* to intend for paying *Zakah* as well as to give it in the ownership of those who have been mentioned under the heading “**Recipient of *Zakah*”** in previous pages.

(2) If *Zakah*, in spite of giving in their ownership, was merely made lawful (*Mubaah*) to use, *Zakah* will not be valid, for example if the recipients of *Zakah* were permitted to eat the food of *Zakah* or they were served food without giving it in their ownership, *Zakah* will not be valid. On the contrary, if the food of *Zakah* is given in their custody in such a way whether they eat it at the same place or take it anywhere else or give it to anyone else or sell it i.e. they were authorized completely so this food will be counted in their ownership and *Zakah* will be paid according to the price of food.

(3) Paying of *Zakah* must not be conditional.

**Question No. 19**

Is it valid to spend *Zakah* money in a masjid or in the burial of a dead?

**Answer with the help of Almighty Allah**

(4) Wealth of *Zakah* can't be spent in building a *masjid*, an inn, a bridge, a road, coffin of dead or in his burial etc because by spending in such virtuous deeds, the wealth of *Zakah* does not transfer to the ownership of a needy. Therefore, *Zakah* would not be valid.

**Agency of *Zakah***

**Question No. 20**

Are we allowed to appoint an agent for paying *Zakah* or can we give it to an organization?

**Answer with the help of Almighty Allah**

Some people cannot recognize the true recipients of *Zakah* or for their self-facilitation, appoint an agent for paying *Zakah* or give it to an organization; this is permissible according to Shariah. However, this thing needs intense care because it is observed that some people or organizations are far from the religion. They do not know about rulings of *Zakah* rather they are ignorant of prayers too. Likewise some people give their *Zakah* to hospitals on humanitarian basis and the management of hospital use it without any care, they even spend it in the construction of hospital and if they spend it for a patient, they do not fulfill Shariah rulings regarding this matter. Therefore, they do not spend *Zakah* in a proper way; consequently, the obligation of *Zakah* rests in the responsibility of a payer and he constantly becomes a prey of sin of refraining from *Zakah* because of his laziness. In short, this matter needs intense care and money of *Zakah* must be given to those who are honest and knowing of *Zakah*-rulings.

## Quantity of *Zakah*

### ***Question No. 21***

How much *Zakah* is paid on a wealth?

***Answer with the help of Almighty Allah***

If wealth is found equivalent to the quantity of *Nisaab* or more than *Nisaab* so its fortieth part or 2.5% will be paid as a *Zakah*.

### ***Question No. 22***

Please also clarify in what forms can *Zakah* be given? Only currency or even food items and clothes can be bought from the *Zakah* money?

***Answer with the help of Almighty Allah***

*Zakah* can be given in any form therefore it is lawful to buy food or clothes for needy but it is meritorious to pay *Zakah* in a form which is more useful for needy people.

## **An example of calculation of *Zakah***

### ***Question No. 23***

Kindly write an example of calculation of *Zakah*?

***Answer with the help of Almighty Allah***

For example *Zaid* is a trader and he runs an oil-mill as well. He possesses following things;

- (1) House
- (2) Articles of households like furniture, television etc
- (3) Motors for personal use
- (4) Gold and Silver
- (5) Diamonds and rubies for use
- (6) Cash
- (7) Shares
- (8) Mill and its machinery
- (9) Raw material like seeds
- (10) Receivable loan from others
- (11) Payable debt to others

- (12) Trade-loan, which is borrowed from others
- (13) Bank loan
- (14) Personal loan

Now it will be analyzed which wealth is eligible for paying *Zakah*. In previous lines, we have stated that *Zakah* is obligatory upon only five types of wealth;

- (1) Gold & Silver
- (2) Running currency
- (3) Prize bonds
- (4) Trade-wealth
- (5) *Saima* animals

Therefore, from the above list house, articles of households, mill and its machinery are exempted from *Zakah* because these things are included in the basic needs of *Zaid*. And although diamonds, rubies and motors are more than basic needs of *Zaid* but are exempted from *Zakah* because they are not growing wealth (*Maale Naami*) i.e. they are not trade-wealth. Therefore, merely following articles of *Zaid* will be eligible for *Zakah*;

Wealth eligible for <i>Zakah</i>	Price
Gold & Silver	400000
Cash	1600000
Stock shares	500000
Raw material	600000
Trade-wealth	1000000
Receivable loan	400000
<b>Total</b>	<b>4500000</b>

Now the total wealth eligible to *Zakah* is of value 4500000 rupees. Now the payable debt of *Zaid* will be calculated. Supposed total of trade loan, personal loan and bank loan is 2000000 rupees so the total payable loan will be subtracted from 4500000. Now *Zaid* will pay *Zakah* only on 2500000 rupees. And he will pay fortieth part (2.50%) i.e. 62500 rupees only, as a *Zakah*.

## ZAKAH CALCULATOR

Details of assets	Value	
	Example	Your own calculation
Gold & Silver	400000	
Cash	1600000	
Shares	500000	
Raw material	600000	
Trade-wealth	1000000	
Receivable loan from others	400000	
<b>Total assets</b>	<b>4500000</b>	
Payable loan to others	<b>Value</b>	
Trade loan	300000	
Bank loan	1350000	
Personal loan	350000	
<b>Total payable</b>	<b>2000000</b>	
Value of total assets - payables = Zakah wealth = Zakah <b>4500000 - 2000000 = 2500000 = 2.5%</b>	<b>62500</b>	