

Shaikh-e-Tareeqat Ameer-e-AhleSunnat Hazrat e Allama Maulana Abu Bilal

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برکت
قادی

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31



Method of missed salaah (Qada) (Hanafi)

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الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ الْمُرْسَلِينَ
 آمَنَّا بَعْدَ قَاعُودٍ يَا اللَّهُ مِنَ الشَّيْطَانِ الرَّجِيمِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

METHOD OF MISSED

SALAH (QAZA)

(HANAFI)

EXCELLENCE OF DUROOD SHAREEF

Sarkar-e-Madina, Sultan-e-baqreena, Qarar-e-qalb wa seena, Faiz ganjeena صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ said, “Reciting Durood upon me will be light on the bridge of Siraat. One who recites Durood upon me 80 times on Friday will have 80 years worth of sins forgiven.” (Jami’ Saghir, P320, Hadith 5191, Dar-ul-Kutubul Ilmiyah Beirut)

صَلُّوا عَلَى الْحَبِيبِ ! صَلَّى اللَّهُ تَعَالَى عَلَى مُحَمَّدٍ

THE PUNISHMENT FOR THOSE WHO

MISS THEIR SALAH

The 4th and 5th verses of Sura Ma’oon (part 30) speak of those who deliberately miss their salah:

Translation Kanzul-Iman:
 Then woe to those salaah
 performers. Who are
 heedless of their salah.

فَوَيْلٌ لِلْمُصَلِّينَ (4) الَّذِينَ هُمْ

عَنْ صَلَاتِهِمْ سَاهُونَ (5)

When Hazrat-e Sayyiduna Sa'd bin Abi Waqas رَضِيَ اللَّهُ عَنْهُ asked the Holy Prophet صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ about the 5th verse of Sura Ma'oon, he صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ said, “(it refers to those) who perform their salah after their prescribed times”. (*Sunanil Kubra lil Baihaqi, V2, P214, Dar-us-Saadir Beirut*)

Verse number 4 mentions the word “wail”. Sadrush Shariah Hazrat-e Maulana Muhammad Amjad Ali Azami رَحِمَهُ اللَّهُ عَلَيْهِ says, “There is a horrific valley in Hell that even Hell itself seeks refuge from it. This valley is called “wail” and it is for those who miss their salah deliberately”. (*Bahar-e-Shariat, Part 3, P7, Madina-tul-Murshid Bareilly Shareef*)

Hazrat-e Sayyiduna Imam Muhammad bin Ahmad Zahabi رَحِمَهُ اللَّهُ عَلَيْهِ says, “It has been said that there is a valley in Hell by the name of “wail”. Its extreme heat will melt even mountains. It is the home of those who slack behind in their salah and perform them after their due times, unless they regret their actions and plead to Allah عَزَّوَجَلَّ for forgiveness”. (*Kitab-ul-Kabair, P19, Dar Maktaba-tul-Hayah Beirut*)

HEAD CRUSHING PENALTY

Nabi-e-Rahamat, Shafi-e-Ummat, Shahanshah-e-Nubuwwat, Tajdar-e-Risalat صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ said to his Blessed Companions عَلَيْهِمُ الرِّضْوَانُ, “Two angels (Jibra'eel and Mika'eel عَلَيْهِ السَّلَام) came to me tonight and took me to the sanctified land. I saw a man lying on the ground with another man stood beside his head holding a rock in his hand. He repeatedly smashed his head with the rock and

every time his head would return back to normal. I asked the angels, ‘Subhan-Allah عَزَّوَجَلَّ who is this?’ They told me to proceed further (and after showing me other punishments) they said, ‘the first person you saw had memorised the Qur’an and then forgotten it and he used to remain asleep at the time of salah, (so) he will be punished like that until the day of judgement’.” (*mulakhkhas az Sahih Bukhari, V2, P1043*)

Dear Islamic Brothers! This is a warning for those who memorise one or more verses of the Holy Qur’an and then forget them and especially those who miss their Fajr salah due to sleeping negligently. Here is a narration about the painful torment of the grave inflicted upon a woman who used to miss her salah deliberately:

FLAMES OF FIRE IN HER GRAVE

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A man’s sister once died. When he returned after burying her, he realised that he had dropped a bag of money inside her grave so he returned to the grave in order to dig it out. When he dug it open he saw a terrifying scene. He saw flames of fire burning in his sister’s grave. He began to cry and quickly threw the soil in to the grave again and rushed home where he met his mother in a terrified state and asked her concerning his sister’s deeds. She said, “Son why do you ask?” He replied “I’ve just seen flames in her grave”. On hearing this, his mother began to cry too and said, “Your sister used to miss her salah and pray them after their due times”. (*Mukashifa-tul-Quloob, P189, Dar-ul-Kutubul Ilmiyyah Beirut*)

Dear Islamic Brothers! If these are the consequences of performing the salah after their prescribed times then what will be the consequences of not performing salah at all?

WHAT IF ONE WAS TO FORGET TO PERFORM SALAH?

Tajdar-e-Risalt , Shahanshah-e-Nubuwwat , Mahboob-e-RabbulIzat 4 رَوَّى صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ said, “If anyone misses his salah due to sleep or forgetfulness, he must pray it when he remembers, that will be its time”. (*Sahih Muslim, VI, P241*)

The respected jurists رَحِمَهُمُ اللَّهُ تَعَالَى say, “If one misses his salah due to sleep or forgetfulness, it is farz for him to make up for it; however, he will not get the sin of reading after the time. It is makrooh to delay it once he does remember or wakes up. He should perform it instantly (unless a makrooh time period has begun)”. (*alamgeeri, VI, P124*)

DOES ONE GAIN THE SAME REWARD FOR PERFORMING SALAH IN ITS PROPER TIME IF HE PRAYS IT LATE DUE TO A PROBLEM?

Here is a fatwa concerning whether or not one will earn the reward of an “ada” Fajr salah (one prayed in its prescribed time) if he prays it as “qaza” salah (one prayed after its prescribed time) if missed due to sleep: AlaHazrat Imam Ahmad Raza Khan رَحِمَهُ اللَّهُ تَعَالَى says on page 161 (volume 8) of Fatawa-e-Razaviya, “As far as the reward for the ada salah is concerned, it is up to the will of Allah عَزَّوَجَلَّ.”

صَلُّوا عَلَى الْحَبِيبِ ! صَلَّى اللَّهُ تَعَالَى عَلَى مُحَمَّدٍ

تُوبُوا إِلَى اللَّهِ ! أَسْتَغْفِرُ اللَّهَ

صَلُّوا عَلَى الْحَبِيبِ ! صَلَّى اللَّهُ تَعَالَى عَلَى مُحَمَّدٍ

SLEEPING IN THE LATTER PART OF THE NIGHT

If a person goes to sleep after the time for Fajr has started and then the time ends with him still asleep, he will definitely have sinned (unless he was confident that he would get up or that there was someone else who would wake him up), in fact, he will have sinned even if he goes to sleep even before the time for Fajr begins (if he has spent the most part of the night awake and knows that if he was to sleep now he will miss his Fajr). (*Bahar-e-Shariat, Part 4, P42, Madina-tul-Murshid Bareilly Shareef*)

SLEEPING LATE

Dear Islamic Brothers! If one fears that he will miss his Fajr salah due to staying up late in the night in gatherings of Zikr and Naat, he should sleep in the Masjid (with the intention of I'tikaaf) throughout the night, or sleep where he knows that he will be woken up by someone, or make sure he has a reliable alarm clock beside him to wake him up. In fact, one should not rely on a single alarm clock but instead have two or more clocks beside him in case he turns it off without realising or it fails to work. The respected scholars رَحِمَهُمُ اللَّهُ تَعَالَى say, “If one fears that he will miss the Fajr salah, he is not allowed to stay awake until late in the night, without a valid reason”. (*rad-dul-muhtaar, V2, P27, Multan*)

DEFINITIONS OF ADA, QAZA AND WAJIB-UL-I'ADAH

Ada means performing a task within its prescribed time period. (*dur-e-mukhtaar ma' rad-dul-muhtaar, V2, P627*) Qaza means performing a task after the time period has finished. (*dur-e-mukhtaar ma' rad-dul-muhtaar, V2, P632*) I'adah means

repeating a task in order to compensate for any faults experienced during its accomplishment. (*dur-e-mukhtaar ma' rad-dul-muhtaar*, V2, P629) If one was to say Takbeer-e-Tehreema within the time period, his salah will be classed as ada and not qaza. (*dur-e-mukhtaar ma' rad-dul-muhtaar*, V2, P628) This excludes Fajr, Jumu'ah, and Eid salah because for these salah it is vital that the (whole salah including) salaam be performed within the prescribed time period otherwise they will not be valid. (*Bahar-e-Shariat*, Part 4, P42, *Madina-tul-Murshid Bareilly Shareef*)

To miss salah without a valid reason is a major sin. To perform qaza and repent are both farz. Repentance or an accepted Hajj will In'shaa-Allah عَزَّوَجَلَّ compensate for the delay (in offering the salah). (*dur-e-mukhtaar ma' rad-dul-muhtaar*, V2, P626) Repentance will only be considered valid if one performs qaza of the salah. Repentance without performing qaza is not considered (sincere) repentance because he still hasn't performed the salah that he was obliged to do so, so how is he considered to have repented if he has not yet refrained from the sin? (*dur-e-mukhtaar ma' rad-dul-muhtaar*, V2, P628)

Hazrat-e-Sayyiduna ibn Abbas رَضِيَ اللَّهُ عَنْهُمَا narrates that the Tajdar-e-Risalt, Shahanshah-e-Nubuwwat, Mahboob-e-RabbulIzat صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ said, "One who repents and continues to sin (at the same time) is like a man who jokes with Allah عَزَّوَجَلَّ." (*Shu'ubul Iman*, Hadith 7178, V5, P436, *Dar-ul-Kutubul Ilmiyyah Beirut*)

THE 3 ESSENTIALS OF REPENTANCE

Hazrat-e-Allama Sayyid Muhammad Naeem-ud-Deen Muraadabaadi رَحْمَةُ اللهِ عَلَيْهِ says, “Repentance is a combination of three essentials: **(1)** admitting the sin, **(2)** shame, **(3)** determination not to repeat the sin. Compensation is also a condition (if this is possible), for example, if one has missed a salah, his repentance will only be considered valid if he makes up for it (does qaza)”. (*Khazain-ul-Irfan, P12, Raza academy Bombay*)

IT IS WAJIB TO WAKE A SLEEPING PERSON FOR SALAH

If you see someone sleeping, or you think that he has forgotten to perform his salah, it is wajib for you to wake him or make him aware (*Bahar-e-Shariat, Part 4, P43*) (If you do not, then you have sinned) Remember! Awakening someone or reminding him will only be wajib if you know that there is a good possibility of him praying (otherwise it is not wajib).

WAKE UP, IT'S TIME FOR FAJR!

Dear Islamic Brothers! Wake up fellow Muslim brothers for salah and earn heaps of reward. In Dawat-e-Islami, we use the term ‘Sada-e-Madina’ to refer to “awaking Muslims for the Fajr salah”. Sada-e-Madina is not wajib, however awaking Muslims for Fajr salah is (undoubtedly) an act of great reward and something that every Muslim should definitely try. One must take care not to disturb Muslims whilst doing Sada-e-Madina.

STORY: An Islamic brother told me that he, along with other Islamic brothers, was once doing Sada-e-Madina with the aid of a (handheld) megaphone at the time of Fajr. He said that they met a man who told them to turn off their megaphone because his son had not slept all night and that he had just about managed to fall asleep. The brothers were angry to see a Muslim stopping them from carrying out such a pious task, anyhow, the next day they returned in the same manner (doing Sada-e-Madina) and saw the same man standing sadly at the corner of the street telling them that his son had not slept all night again and that he had just about managed to fall asleep and that he had stood there to ask the Islamic Brothers to walk through his street quietly. This incident shows that Sada-e-Madina should be done without the aid of a megaphone, and even when calling it out without the help of such a device, one should not raise his voice too loudly in case he disturbs those Muslim sisters who are performing their salah, or reciting the Holy Qur'an inside their homes, or the old, weak, and sick, or children, or those who have fallen asleep after performing the salah in its earlier period. Rather than bursting into an argument when confronted by someone who disapproves of doing Sada-e-Madina, one should humbly apologise and think well of him, convincing himself that. "Surely no Muslim can disapprove of awaking people for Fajr! He probably has a good reason to do so". Even if he is someone who does not pray his salah, one is still not allowed to display an aggressive attitude towards him. He must search for an opportunity to do Infiraadi Koshish to politely encourage him to perform his salah. People who use the Masjid speakers in the morning other than the Fajr azan or people who use speakers in gatherings that are held at home or in the neighbourhood should be considerate of Muslims that

are worshipping inside their homes, patients, babies and those that are asleep.

A STORY ABOUT PUBLIC RIGHTS

To be considerate of public rights is absolutely vital. Our pious ancestors were very careful of this matter. Hujja-tul-Islam Sayyiduna Imaam Muhammad Ghazali رَحْمَةُ اللهِ عَلَيْهِ narrates that Sayyiduna Imaam Ahmad bin Hanbal رَحْمَةُ اللهِ عَلَيْهِ had a student who spent years in his company acquiring knowledge. One day, as he approached the Imaam, the Imaam turned his face away (and expressed his disappointment); the student insisted that his teacher tells him why he was annoyed, so he رَحْمَةُ اللهِ عَلَيْهِ said, "You have expanded the area of your house by bringing out your wall into the public street, whereas the street is used by Muslims". In other words, "how can I be pleased with you when you have made it difficult for Muslims to pass through your street!" (*Ihya-ul-Uloom, V5, P96, Dar-us-Saadir Beirut*) This should be a lesson for those who make extensions at the front of their homes and consequently obstruct public pathways.

PERFORM QAZA SALAH AS SOON AS POSSIBLE

Anyone who has qaza salah to make up for must perform them as soon as possible (it is wajib to do so), however, delaying these salah due to being occupied with earning a living and other basic necessities is permissible. Therefore, one can continue to earn a living and make up for missed salah in his spare time, until there is not a single salah left to pray. (*dur-e-mukhtaar ma' rad-dul-muhtaar, V2, P646*)

DO NOT EXPOSE YOUR QAZA SALAH

Avoid letting others become aware of you performing qaza salah (even family members and close friends), because, publicising a sin is also a sin (Makrooh-e-Tahreemi). (*rad-dul-muhtaar*, V2, P650) Therefore, one must not make comments such as, “I missed Fajr today”, or, “I’m making up for salah that I’ve missed”. Hence, do not raise your hands for the Takbeer of Qunoot if you perform qaza of your Witr salah in the presence of others.

PERFORMING QAZA ON THE LAST FRIDAY OF RAMAZAN

A misconception that exists amongst some people is that if qaza salah is offered with Jama’at on the last Friday of Ramzan, that one salah will compensate for a whole life time of missed salah. There is no truth in this at all. (*makhooz az sharhuz zarqani alal mawahibulla duniyyah*, V7, P110, *Darul Ma’rifat Beirut*) The renowned Qur’anic commentator, Hazrat-e-Mufti Ahmad Yar Khan Naeemi رَحْمَةُ اللهِ عَلَيْهِ says, “On the last Friday of Ramzan, one should perform 12 rak’at of salah (in two’s) between Zuhr and Asr, reciting Aya-tul-Kursi (once), Sura Ikhlas (3 times), Sura Falaq and Sura Nas (once each) after Sura Fatiha in each rak’at. The advantage of this is that In’shaa-Allah عَزَّوَجَلَّ he will be pardoned for the sin of missing the salah that he has compensated for (done qaza of), but this does not mean that he does not have to perform qaza of those salah. (*Islami Zindagi*, P105)

A LIFETIME OF MISSED SALAH

If there is someone who has not prayed a single salah in his life and now he wants to make up for them, he must work out how many salah he has missed since reaching the age of puberty. If he does not remember the exact year, he should work it out from the age of 12 (9 for Islamic sisters), just to be on the safe side. (*makhoos az fatawa-e-Razaviya*, V8, P154, Raza Foundation Lahore)

ORDER OF MISSED SALAH

When making up for the salah, one has a choice of either praying all the Fajr salah first, then all the Zuhr, and then all the Asr, Maghrib etc. (*fatawa qadi khan ma' alamgeeri*, VI, P109)

METHOD OF PRAYING QAZA SALAH (HANAFI)

There are 20 rak'at to make up for in a day (2 farz for Fajr, 4 for Zuhr, 4 for Asr, 3 for Maghrib, 4 for Isha and 3 Witr). Make the following intention, "I am making up for the very first Fajr that I missed" (the same should be intended for every salah). If one has a large quantity of missed salah to make up for, he can use the following shortcuts:

(1) Saying the tasbihaat in ruku' and sujood (سُبْحَنَ رَبِّيَ)

(سُبْحَنَ رَبِّيَ اَلَا عَلِي & الْعَظِيم) once instead of three times.

However one must make sure that he begins to pronounce the 'س' of سُبْحَن once he is fully in ruku' and that he begins to lift his head back up from ruku' only after he has completed the 'م' of عَظِيم. The same applies to the tasbihaat in sajdah.

(2) Saying 'سُبْحَانَ اللَّهِ' 3 times in the 3rd and 4th rak'at instead of reciting Sura Fatiha, but remember you must recite both the Sura Fatiha and additional verses in the 3rd rak'at of Witr.

(3) Saying only 'اللَّهُمَّ صَلِّ عَلَيَّ مُحَمَّدٍ وَآلِهِ' instead of reciting the whole Durood and Dua after the tashah'ud.

(4) Saying 'رَبِّ اغْفِرْ لِي' once or three times instead of the Dua of Qunoot in the third rak'at of Witr. (mulakhas az Fatawa-e-Razaviya, V8, P157, Raza Foundation Lahore)

PERFORMING QAZA OF QASR SALAH

If a salah that was missed whilst on a journey is performed as qaza later on, it must be prayed as qasr salah (even though one is not a traveller anymore) and if a salah that was missed in a normal state (as compared to being on a journey) is prayed as qaza in a state of travelling, it must be prayed fully (and not as qasr). (rad-dul-muhtaar, V2, P650)

SALAH MISSED AS A MURTAD (APOSTATE)

If someone, Allah عَزَّوَجَلَّ forbid, becomes a kaafir and then reverts to Islam, he does not have to make up for the salah that he missed in the state of disbelief, but he does have to make up for those that he missed as a Muslim before he became an apostate. (rad-dul-muhtaar, V2, P537)

PRAYING AT THE TIME OF CHILDBIRTH

A midwife can miss her salah if she fears that a new born child could die if she is not with him. (rad-dul-muhtaar, V2,

P519) If the time for salah is coming to an end and a woman is in labour, and the head of her child is visible but the rest of the body is still inside her, then it is still farz for her to pray her salah, she will have sinned if she does not (but she does not have to pray in this state if her “nifas” has started). (rad-dul-muhtaar, V2, P565) She should place the child’s head into a container so that it is not harmed and pray her salah, but even in this if there is a risk of the child dying, she can delay (miss) her salah (she will have to do qaza after the termination of her nifas). (rad-dul-muhtaar, V2, P519, Multan)

WHEN CAN SOMEONE ILL MISS HIS SALAH?

If a physical illness is so extreme that one cannot perform his salah even using gestures and he is like this for the whole duration of six prayers, he does not have to do qaza of those salah. (rad-dul-muhtaar, V2, P570, Multan)

REPEATING A WHOLE LIFETIME OF SALAH

If you realise that you have not been performing your prayers correctly then it is preferable for you to repeat them all. If you do, make sure that you do not pray them after Fajr or Asr, and pray every rak’at with Sura Fatiha and additional verses. In the Witr, add on an extra 4th rak’at (as well as reading the Qunoot and sitting at the end of the 3rd). (rad-dul-muhtaar, VI, P138, Multan)

WHAT IF YOU FORGET TO MENTION THE WORD “QAZA”?

AlaHazrat Moulana Shah Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ says, “Our scholars have clearly stated that it is permissible to perform a qaza salah with the intention of ada and an ada

salah intending to do qaza.” (*fatawa-e-Razaviya*, V8, P161, Raza Foundation Markaz-ul-Auliya Lahore)

PRAYING QAZA SALAH INSTEAD OF NAFL

Making up for missed salah is more important than performing nafl salah which therefore means that one should replace all nafl salah with qaza salah until he has made up for them, however he should not replace the Taraweeh salah and the 12 rak’at that are Sunnah-e-Mu’akkadah. (*rad-dul-muhtaar*, VI, P536, Multan)

PRAYING NAFL IS NOT PERMISSIBLE AFTER FAJR AND ASR SALAH

It is Makrooh (tahreemi) to perform nafl salah after Fajr and Asr salah, this includes Tahiyatul-Masjid, nafl of nazar (swearing an oath), nafl of tawaaf, and any salah that was terminated once it was begun. It also includes the Sunan of Fajr and Asr themselves. (*dur-e-mukhtaar*, VI, P61)

There is no specific time for offering ones qaza salah; in other words, he will have freed himself of this obligation whenever he prays them, however, he must remember that he cannot pray qaza salah at the 3 Makrooh times (sunrise, sunset, and mid-day) because praying any salah within these periods is prohibited. (*alamgeeri*, VI, P134, Quetta)

WHAT IF I MISS MY 4 SUNAN BEFORE ZUHR?

If one prayed his Zuhr farz (without praying the 4 sunan prior to them), he should pray the 4 sunan after performing the 2 rak’at that come after the farz. AlaHazrat رَحْمَةُ اللهِ عَلَيْهِ says, “If someone misses the 4 sunan before the farz, he should pray them after, in fact, the soundest opinion is that

he should pray them after the 2 sunan that follow the farz, providing he is still in the Zuhr time period”. (*mulakhkhasan Fatawa-e-Razaviya, V8, P148, Raza Foundation Markaz-ul-Auliya Lahore*)

WHAT IF I MISS MY 2 SUNAN BEFORE FAJR?

If one fears that praying his sunan will result in missing the Fajr jama'at, he should join the jama'at without praying them, but remember, he cannot pray them after completing his farz. It is desirable for him to pray them 20 minutes after sunrise until mid-day. (*makhooz az Fatawa-e-Razaviya jaded, V7, P424 – Bahar-e-Shariat, Part 4, P12*)

IS THERE ONLY A SHORT AMOUNT OF TIME FOR MAGHRIB?

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The time period for Maghrib salah begins when the sun sets, and it ends at the beginning time for the Isha period. This duration actually varies in terms of varying dates and places. For example, according to Baab-ul-Madina Karachi timings, the duration for the Maghrib salah will be at least 1 hr 18 minutes. The respected scholars رَحْمَةُ اللهِ تَعَالٰي say, “It is always desirable to offer Maghrib salah quickly (as soon as the time begins) unless the sky is cloudy. Delaying it more than the time it takes to perform 2 rak'at of salah is Makrooh-e-Tanzihi and delaying it to the extent that even the smaller stars become clearly visible is Makrooh-e-Tahreemi. (*dur-e-mukhtaar, V1, P246 – alamgeeri, V1, P48*)

AlaHazrat Moulana Shah Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ says, “The desirable time to pray Maghrib is before the stars become clearly visible in the sky. To delay it until even the

smaller stars (as well as the larger ones) become visible, is Makrooh (Tahreemi).” (*fatawa-e-Razaviya*, V5, P153, Raza Foundation Lahore)

The rak’at before the Asr and Isha salah are Sunnah-e-ghair Mu’akkadah and therefore one does not have to do qaza if they are missed.

WHAT ABOUT THE QAZA OF TARAWIH?

One does not have to make up for missed taraweeh salah. If someone does, they will be classed as nafl (and not taraweeh). (*mulakhkhasan dur-e-mukhtaar*, VI, P61)

THE “FIDYAH” FOR MISSED SALAH

THOSE WHOSE RELATIVES HAVE PASSED AWAY SHOULD

DEFINITELY READ THE FOLLOWING

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Work out the age of the deceased, subtracting 9 years (prior to puberty) for women and 12 years for men. From the remaining number of years work out how many years the deceased missed salah or fasting (if one is not sure then it is safer to count more than less, in fact to be safe, work out all the years from puberty onwards). Now, for each salah, donate the amount of one Sadaqa-e-Fitr, which is approximately 2.5 kg of wheat or flour, or their price in money. There are 6 salah in a day (5 farz plus 1 Wajib Witr), so if, for example, 2.5 kg of wheat costs 12 rupees, then one will donate 72 rupees per day, 2160 rupees per month, and approximately 25,920 rupees per year, so if a deceased relative of yours has 50 years of missed prayers, you will be required to donate 1,296,000 rupees on behalf of him. Now, obviously, not everyone can pay such a large amount, and therefore our respected scholars’ رَحِمَهُمُ اللَّهُ تَعَالَى have mentioned a method of getting round this problem

(heelah). This is the method; one should find a faqeer (definitions of “faqeer” and “miskeen” will follow shortly) and give him, lets say, one month’s fidyah (2160 rupees) and make him the owner. Now the faqeer can then return the money back to you (making you the owner again), and you can then pass it back to him a second time, and so on, until you have handed the money back and forth (handing over complete ownership of the money each time) enough times to be able to say that you have paid him the equivalent to the total number of prayers missed. (*makhooz az Fatawa-e-Bazaziya ma’ alamgeeri, V4, P69*) One month’s fidyah was used as an example. If one has enough money to donate the fidyah for all 50 years at once, he can clear the fidyah of all 50 years in just one transaction (and have the money returned to him). Remember to use the current cost of wheat when making calculations. The same applies to fasting (one Sadaqa-e-Fitr per fast). (*dur-e-mukhtaar ma’ rad-dul-mukhtaar, V2, P644*)

One can pay off the fidyah for fasts that have been missed by his deceased relatives’ after paying off for the salah in the same manner. This “heelah” can be used by the rich as well as the poor. If the heirs of a deceased do this on behalf of him they will have helped him a great deal. It will remove the burden of farz salah off the deceased person and it will earn heaps of reward for the heirs. A misconception existing amongst some people is that they believe that the fidyah for all of the deceased’s prayers is paid by simply donating a copy of the Holy Qur’an in the Masjid, this is a mistake. (*For details see: Fatawa-e-Razaviya, V8, P168, Raza Foundation Lahore*)

A RULING CONCERNING THE FIDYAH FOR A DECEASED WOMAN

When calculating the number of prayers that a woman had missed one should exclude her menstrual period for each month. If her exact number of days is unknown, you should extract 3 days from each month (from the age of 9). However, you must not extract these days from her pregnancy period (as she does not experience her menses, and is therefore, still obliged to perform her salah). If her period of bleeding after childbirth is known, it should be excluded after every childbirth, if it is not known then there will be no exclusion (because there are no number of days for the least period of bleeding after childbirth, as it is possible that the bleeding only lasted a single minute).
(*ma'khooz az Fatawa-e-Razaviya, V8, P154, Raza Foundation Lahore*)

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HEELAH FOR 100 STRIKES

Dear Islamic Brothers! The previous mentioned method of solving the “fidyah problem” is not something that I have myself made up. In fact, the permissibility of using such methods has been proven by the holy Qur'an, Hadith and reliable books of Hanafi jurisprudence. During the time Hazrat-e- Sayyiduna Ayyub عَلَيْهِ السَّلَام was ill, his noble wife رَضِيَ اللَّهُ عَنْهَا was once late in arriving in his blessed presence and so he عَلَيْهِ السَّلَام swore that he would hit her 100 times. When he regained his health, Allah عَزَّوَجَلَّ told him to strike her 100 times with a broom made of splinters. The Holy Qur'an mentions this story:

Translation Kanzul-Iman:

And We said, 'take in your hand a broom of dry grass and strike there with and break not your oath.

وَحْذِيْدِكَ ضِعْثًا فَاصْرِبْ
بِهِ وَلَا تَحْنُطْ ط

(Part 23, Ruku' 13)

There is a whole chapter on the topic of heelah called “Kitabul Hiyal” in the famous Hanafi book “alamgeeri”. It states, “It is Makrooh to use a heelah to deprive someone of his right, or make it doubtful for him, or to deceive him, but there is nothing wrong with using a heelah to avoid committing Haraam, or in order to attain something Halaal for oneself. The following verse is proof of the permissibility of such types of heelah:

Translation Kanzul-Iman:

And We said, 'take in your hand a broom of dry grass and strike there with and break not your oath.

وَحْذِيْدِكَ ضِعْثًا فَاصْرِبْ
بِهِ وَلَا تَحْنُطْ ط

(Part 23, Ruku 13), (fatawa alamgeeri, V6, P390)

HOW DID THE PRACTICE OF PIERCING EARS START?

Here is another piece of evidence for the permissibility of using a heelah; Sayyiduna Abdullah ibn Abbas رَضِيَ اللهُ عَنْهُمَا narrates that once Hazrat-e- Sayyidatuna Sarah and Hazrat-e- Sayyidatuna Hajirah رَضِيَ اللهُ عَنْهُمَا had a dispute, which resulted in Hazrat-e-Sayyidatuna Sarah رَضِيَ اللهُ عَنْهَا swearing that if she had the opportunity she would cut a limb of Hazrat-e-Sayyidatuna Hajirah رَضِيَ اللهُ عَنْهَا. Allah عَزَّوَجَلَّ sent

Hazrat-e- Sayyiduna Jibra'eel عَلَيْهِ السَّلَام to Hazrat-e- Sayyiduna Ibraheem عَلَيْهِ السَّلَام to make him reconcile between the two. Hazrat-e-Sayyidatuna Sarah رَضِيَ اللَّهُ عَنْهَا asked, “مَا حِيلَةُ يَمِينِي” (How can I fulfil my oath?) A revelation was sent to Hazrat-e-Sayyiduna Ibrahim عَلَيْهِ السَّلَام to tell Hazrat-e- Sayyidatuna Sarah رَضِيَ اللَّهُ عَنْهَا to pierce the ear of Hazrat-e- Sayyidatuna Hajirah رَضِيَ اللَّهُ عَنْهَا. That is how the custom of piercing ears began. (ghamz 'uyunil basair sharhul ashbahi wannadhair, V3, P295, Idaara-tul-Qur'an)

COWS MEAT AS A GIFT

The Mother of the Believers, Hazrat-e- Sayyidatuna Aisha Siddiqa رَضِيَ اللَّهُ عَنْهَا narrates that once a piece of cow meat was presented to the Holy Prophet صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ and he صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ was informed that the meat was donated (Sadaqah) to Hazrat-e-Sayyidatuna Bareerah رَضِيَ اللَّهُ عَنْهَا, Sarkar-e-Madina صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ replied, “هُوَ لَهَا” (meaning for her it is sadaqah, but for us it is a gift). (Sahih Muslim, VI, P345)

A VALID HEELAH FOR ZAKAH

This Hadith shows that Hazrat-e- Sayyidatuna Bareerah رَضِيَ اللَّهُ عَنْهَا (who was liable to accept sadaqah) was offered meat of a cow, which was then classed as sadaqah for her but once she transferred it onto the Sarkar-e-Madina صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ it was no longer considered sadaqah, in fact it was then classed as a gift. Therefore, one who is liable to accept zakah can take it and then give it to another person

(who is not liable for zakah), or to a Masjid, and when he passes it on, it will no longer remain zakah, in fact it will simply turn into a gift.

The respected scholars رَحِمَهُمُ اللَّهُ تَعَالَى have stated the valid heelah for zakah to be this; zakah money cannot be used to pay for the burial or shrouding expenses of a deceased, and it cannot be used to pay for Masjid expenses either, because the paying of zakah requires that it be handed to a faqeer (giving him full ownership over it). However, if one desires to spend zakah money in the mentioned causes he can hand it over to a faqeer, who can then spend it (on burial expenses or a Masjid, etc), and both of them will be rewarded". (*rad-dul-muhtaar*, V3, P343)

100 PEOPLE WILL BE REWARDED EQUALLY

Dear Islamic Brothers! So you see! Zakah money can be used for burial expenses or in a Masjid using a valid heelah because it is considered zakah for the faqeer (but not for the Masjid that he hands it over to), once he has gained possession over it he is free to do whatever he wants with it. Using this heelah, one manages to pay off his zakah, and at the same time the faqeer earns himself heaps of reward by spending his money on the Masjid. There is nothing wrong with explaining this ruling to a faqeer, in fact, if the money is transferred through several people they will all manage to gather heaps of reward for themselves, for example, if you give 12 hundred thousand rupees to a faqeer as zakah, and then he gives it (as a gift) to another Islamic brother, who then passes it on to a third Islamic brother with the same intention, and so forth, finally ending with the last Islamic brother handing it over to the Masjid committee (or whatever purpose the heelah was used for), In'shaa-Allah

عَزَّوَجَلَّ each and every one of those Islamic brothers will earn the reward of donating 12 hundred thousand rupees as sadaqah. Hazrat-e-Sayyiduna Abu Huraira رَضِيَ اللهُ عَنْهُ narrates that Tajdar-e-Risalt, Shahanshah-e-Nubuwwat, Mahboob-e-RabbulIzat 4 رَضِيَ اللهُ تَعَالَى عَنْهُ وَآلِهِ وَسَلَّمَ said, “If sadaqah is transferred through 100 hands, then each one of them will earn the same reward as the one who (initially) gives it, without a reduction in his reward”. (*tareekh Baghdad*, V7, P135, *Dar-ul-Kutubul Ilmiyyah Beirut*)

DEFINITION OF A “FAQEER”

A faqeer is someone who; **(a)** possesses only a little amount of wealth, but not as much as the nisaab, or **(b)** possesses wealth equivalent to the amount of nisaab, but it comprises of his basic necessities which include a house, household items, transport, tools for a craftsman, clothes, a servant, and necessary books (for a student), or **(c)** is in debt, and if he was to deduct the total amount of debt that he owes from his savings he will be left with less than the amount of nisaab (even though he might possess the amount of wealth that adds up to several nisaab). (*rad-dul-muhtaar*, V3, P333)

DEFINITION OF A “MISKEEN”

A miskeen is one who does not even possess the basic necessities of life (food and clothing); begging is permissible for a miskeen. It is Haraam for a faqeer (one who possesses a day's food and clothing) to beg unnecessarily, and to give him something, if he does beg, it is also Haraam (and the giver will have sinned). (*fatawa alamgeeri*, VI, P188)

Dear Islamic Brothers! This tells us that beggars who are capable of earning a living but do not do so, and instead, beg to people unnecessarily, are sinners, and for one to give his zakah and sadaqah to such beggars, despite being aware of their situation, is also a sin (he will also be destroying his zakah and sadaqah by giving it to them).

QUESTIONS AND ANSWERS CONCERNING **HEELAH FOR ZAKAH**

Q: How can I use a heelah for my zakah money?

A: You must give your zakah to a faqeer or his waqeel (agent/representative). Once he has gained possession of it he can use it for anything he pleases (including Masjid expenses). Like this, as well as paying off your zakah, you and the faqeer will also earn reward - In'shaa-Allah عَزَّوَجَلَّ.

Q: You said “a faqeer or his wakeel”, what is a wakeel?

A: Someone who receives zakah for a faqeer on his behalf (with the faqeer's permission).

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Q: Can the wakeel spend the zakah on anything he pleases once he gets hold of it?

A: No he cannot, unless the faqeer gives him permission to do so (or if he asks for permission himself).

Q: If a faqeer does give his waqeel permission to spend the zakah wherever he pleases, does that mean that the faqeer then no longer has to take possession of the wealth?

A: Yes, because the wakeels possession is considered 'possession for the faqeer' (because he was the one who authorised it).

Q: Please state what appropriate words one can use when handing over money to be used for religious or social activities.

A: An example of appropriate words to be used in such a situation (for example giving sadaqah or using a heelah to donate ones zakah to Dawat-e-Islami) is:

“Dawat-e-Islami can spend this money on any permissible and religious task that they feel appropriate”.

Q: How should a faqeer take possession of zakah and then authorise his wakeel to give Dawat-e-Islami full authority to spend it on any of its Madani tasks?

A: The following are appropriate words in this case: “I want you to give whatever zakah you receive on behalf of me to Dawat-e-Islami (or any other individual or group) and tell them that they can spend it on any permissible and virtuous task that they please”.

Q: What should one say when he is on the receiving end of someone's sadaqah?

A: If you are on the receiving end of someone's zakah, fitrah or any other sadaqah wajiba, you do not have to make him give you full authority over the money, because the afore mentioned three types of sadaqah require handing over complete ownership to someone “liable”, now when people hand their sadaqaat over to Dawat-e-Islami, they are not actually transferring ownership over to it, they are in actual fact using the movement as a “wakeel”. Dawat-e-Islami actually then uses a valid heelah to spend it on its religious activities (the method and appropriate words to be used for this have already been mentioned). Any sadaqah that is not Wajib, is nafl. Appropriate words to be used when taking nafl sadaqah (including animal skins at the time of Eid-ul- Azha) are: “give Dawat-e-Islami permission to spend your sadaqah (or the money received for selling

the animal skin) on any permissible and virtuous task that they please”, the donor should then grant permission (simply saying “yes” is enough). If permission is not sought in the afore mentioned manner then the money can only be spent on well known activities of the movement, and not other (uncommon) activities (even if they are of a religious nature), otherwise one would have to compensate for it (he must repay it from his own personal money). It will be convenient (and safe) to have the aforementioned statement printed on all receipts and be clearly visible for the donor to read himself or for the recipient to read out to him.

Q: How will I compensate for the money?

A: By paying back the donor from your personal money, or by spending it with his permission.

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Q: This is almost impossible to do when I’ve collected a huge amount of money from numerous people that I cannot even trace. Is there an easier way of getting around this problem?

A: In this case, the exact amount of money should be spent on the cause that it was initially donated for by the donor. For example, if you were given money to spend on a Masjid, but you spent it on your Madrasa, you must pay the equivalent amount on the Masjid from your own personal money.

Q: If someone donated money for a Madrasa, can it be used for other Dawat-e-Islami activities?

A: No. There will be compensation if it is because sadaqah must be used according to the cause of donation. In fact, if

there is money left over (after using it) it must be returned to the donor, or spent **with his permission**.

Q: How must I repent if I have used zakah or sadaqah money where it should not have been used without the means of heelah?

A: Ignorance is not an excuse. You must ask yourself why you did not learn the necessary rulings! If someone has spent this money wrongly without the means off a heelah, he must not only repent, in fact he must also compensate for the money he has misused. For example, if someone gives his zakah to Dawat-e-Islami, and the brother responsible, spends it on the construction of a Masjid, or for paying a teacher in the Madrasa or on any other such virtuous task, without the means of a heelah, then he must compensate for it all (as mentioned), even if the sum is in millions, merely repenting is not sufficient.

Q: What can one do if he has wrongly spent hundreds of thousands of rupees of zakah money without the means of a heelah, but does not own enough to compensate for it?

A: If he himself is a faqeer, he can be given the amount that he must compensate for (by someone else) as zakah (because he himself is liable to accept it), and then he can compensate for the money that he misused using this zakah (that he now personally owns).

Q: What can a Sayyid do if he makes this mistake (because Sayyids cannot be used for a zakah heelah)?

A: If a Sayyid misuses someone's zakah, let's say one hundred thousand rupees, this is the way he can get around it: a faqeer should be given someone's zakah (equivalent to

one hundred thousand rupees), who should then give it as an offering (not as sadaqah) to the Sayyid, and then the Sayyid can use it to compensate for the money that he misused, as well as repent for his sin.

Q: Dawat-e-Islami is a huge organisation and not everyone is aware of the rulings that you have stated, so how can we solve such a big problem?

A: Someone who is obliged to pay zakah is also obliged to learn the necessary rulings that are involved (it is **fardh** to do so), and so are the recipients of such donations (whether they are individuals or organisations).

All those in charge of such responsibilities must make sure that they do not allow anyone to accept donations (and animal skin) until they have been given the necessary education/training. www.dawateislami.net

Q: When using a heelah, can I tell the faqeer to give me the money back and that he can't keep it?

A: One should avoid saying such words to the faqeer; anyhow, saying them will not affect the zakah or the heelah in any way because saying such conditional sentences when offering ones sadaqah, zakah or other offerings holds no significance. AlaHazrat Moulana Shah Ahmad Raza Khan رَحْمَةُ اللهِ عَلَيْهِ narrates with reference to Fatawa-e-Shaami (kitabuz zakah, baab-ul-masraf, V3, P293, Multan), "Hibah (gift) and sadaqah (charity) are not invalidated by invalid conditions". (Fatawa-e-Razaviya, V10, P108, Raza Foundation Markaz-ul-Auliya Lahore)

Q: If I give my zakah to a faqeer with the intention of using him as a heelah, but he does not return the money, can I

force him to give it in order to use it for virtuous activities?

A: No you cannot, because the money now belongs to him.
(*ibid*)

Q: How can I use a faqeer for a heelah then (if I cannot trust him)? What if I give him thousands of rupees and he does not return them?

A: AlaHazrat رَحْمَةُ اللهِ عَلَيْهِ says, “Here is an example of how this can be done; if you wish to give 20 rupees out of your zakah money to a Sayyid or Masjid then what you can do show a faqeer (sane, having reached puberty, liable for zakah) a hat or some clothing and offer him to buy it from you for 20 rupees, explaining that you will give him the money yourself, this will convince him to take your money and then buy the cloth from you, knowing that in the end he will be gaining possession of the clothing for free. You should then hand over 20 rupees (intending to pay your zakah) and then sell the cloth to him in exchange for the same money. The faqeer will not argue because he was not expecting to keep the money in the first place (it was the clothing he would have been expecting to gain possession of), but even if he does, then you are allowed to snatch it off him because he is considered to be in debt (with you being the lender), and it is permissible for a lender to take what is owed to him without the debtors permission. Therefore he can take the money and hand it over to the Sayyid or Masjid, and consequently both objectives are fulfilled.” (*Fatawa-e-Razaviya, V10, P108, Raza Foundation Markaz-ul-Auliya Lahore*)

Q: Can you please explain this ruling in an easier way.

A: Here is a humble attempt (with the blessings of Imam Ahmad Raza رَحْمَةُ اللهِ عَلَيْهِ): lets say that you want to use Zaid (who is liable for zakah) for a heelah of one hundred thousand rupees of zakah money but you fear that he will keep the money. What you can do is sell, lets say a pen, to him for one hundred thousand rupees that you let him pay for later (so he has not paid you for the pen but now he owes you 1 hundred thousand rupees). Now you can give him your zakah of 1 hundred thousand rupees and then ask him to give you the hundred thousand rupees that he owes you (for the pen). If he does not repay it, you are allowed to snatch it off him.

Q: If I cannot find a faqeer to use for a heelah, is there any way I can turn someone who isn't a faqeer into one?

A: Yes, this can very easily be done. For instance, if Zaid has 50,000 rupees excluding his basic necessities then his wealth has reached the legal "nisaab" (and he therefore cannot take zakah). Now what you can do is burden him with such a large debt which will turn him into a faqeer, for example, sell him a bottle of perfume for 1 hundred thousand rupees. Once he has gained possession of the bottle he will become a faqeer because even if he spent all his money to pay off the debt, he will still have to pay 50,000 rupees. You can now give him your zakah. He can then pay off his debt and use the remaining money to be spent on any religious task as well, or, he can give the entire amount to be spent on a Masjid, and then, if you want, you can relieve him (forgive him) of his debt. In fact, you can relieve him of his debt as soon as you gain possession of his zakah money.

Remember, if the debt is paid, or the lender relieves the debtor of his debt then Zaid will remain with enough money that reaches the limit of the nisaab (even though he may have returned the zakah money through the heelah process) because after paying his debt or being relieved of it he will still be in possession of 50,000 rupees apart from his basic necessities.

If you want to use him for a heelah a few more times then you can leave him in a state of debt, or repeatedly convert him into that state.

Q: Can we use cheques in the heelah process?

A: No. Zakah cannot be paid using cheques.

Q: It is extremely difficult to withdraw large sums of money from the bank to give to a faqeer for the heelah process and then return the money to the bank once it is complete, please tell me of an easier method.

A: A faqeer should open a bank account and then you should transfer your zakah money into his account (with his knowledge). Once the sum has been transferred the zakah is considered paid, so now he can spend it on any virtuous task that he pleases (details of this have already been explained).

Saying of The Holy Prophet ﷺ

“Whoever avoids arguing despite being on the truth, I will guarantee him a house in the highest Heaven”.
(Sunan Abi Dawood, V4, P1332, Hadith 4800)