



AHKAAME SHARI'AT

Part 1

Translated By:
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احكام شريعت

AHKAAME SHARIAT PART (1)

The Nice Interpretation Of The Rules of Shariah

*By Mujaddid-e-Deen-o-Millat Huzoor Aala Hazrat
Ash Shah Imam Ahmed Raza Khan
(radi Allahu anhu)*

*A summarised translation by a humble servant of
ALLAH
Muhammad Afthab Cassim Razvi Noori*

*Through the blessings of
Ghausul Waqt Huzoor Mufti-e-Azam Hind
Ash Shah Imam Mustafa Raza Khan
(radi Allahu anhu)*

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WORDS OF INSPIRATION BY:

Taajush Shariah, Rahbar-E-Tariqat,
Ja Nasheen-E-Mufti-E-Azam, Hazrat Allama Mufti
Mohammed Akhtar Raza Khan Qadri Azhari Qibla

786/92

I came to know that my dear Maulana Aftab Cassim Razvi has translated the very knowledgeable work i.e. Ahkaame Shariat written by Syedna Aala Hazrat into English and most likely the translation done by him will be published in the near future. I am very happy to know about it as this is a very positive way to provide the English speaking youth with the religious literature in English.

The said book written by Ala Hazrat is a treasure of theology and it is really Ahkaame Shariat i.e. *"The Nice interpretation of the Rules of Sharia"*. I pray from the depth of my heart to Allah that may the Almighty Allah bless him with the divine help and accept his good deed and make this work useful for the Sunni Muslims.

I propose that Maulana should choose some part from my book AASAARE QAYAMAT in regard with the rule concerning the chain of watch used by most people and should add this with the chain masalah in Ahkaame Shariat. Besides this, I wish that Maulana had written few useful words in regard with the TV which is alike to the cinema. The cinema was hated by every heart in the past time even by the people who were enjoying watching cinema but they used to consider it as an evil doing. Now since the TV has become very common the cinema seems to be legalized. Even some learned Alims are involved in appearing on TV by making excuse that this is the way to preach Islam. Meanwhile factually this is not the correct way to preach Islam.

The above words were dictated to Brother Asif Patel (Malawi) at the residence of Brother Askari Raza by Taajush Shariah Qibla whilst in Harare on 12 March 2005 for Urs-e-Razvi Mahmoodi.

Translator's Note

All Praise is due to Almighty Allah who has blessed His Beloved Rasool (Sall Allahu Alaihi Wa Sallam) with knowledge of all that happened and all that is to happen. Choicest Blessings, and abundant Salutations be upon the Beloved Rasool (Sall Allahu Alaihi Wa Sallam) who has been blessed with the most knowledge in the Universe and whom none shall supersede in any way, for he has attained this knowledge without any teacher in the creation, but directly from the Creator Almighty Allah. Blessings and Salutations be upon his Companions and his Noble Family who are the inheritors of his great knowledge, and peace and blessings upon the Awliyah and the Ulama-e-Haq, Ulama-e-Ahle Sunnat Wa Jamaat, who have been blessed with inheriting this knowledge from the court of Prophet (Sall Allahu Alaihi Wa Sallam) through the blessed hands of the pious predecessors, who have in turn passed on the knowledge of Deen to us ordinary Muslims, so that this knowledge and wisdom may be a light of guidance for us in the trials and tribulations of this mundane world.

Alhumdulillah, before you is a summarised translation of more than 200 questions and answers of "Ahkaam-e-Shariat, which is another masterpiece of the Mujaddid of the 14th Century, Aala Hazrat Ash Shah Imam Ahmed Raza Khan (radi Allahu anhu). I was requested to translate this book of the great Mujaddid by numerous friends and well-wishers over the years. Through the Grace of Almighty Allah, the Mercy of the Prophet (Sall Allahu Alaihi Wa Sallam) and with the blessings of my Great Masha'ikh, with my humble knowledge I attempted this translation to the best of my humble ability and Alhumdulillah the book has been completed. I must make very clear that there were certain parts of the book which I felt would be very complicated for the understanding of the general public and thus, such sections and queries and verdicts have been omitted in this translation. There were also certain discussions in the original document that would only be understood by the learned Ulama and to simplify these discussions to the level of understanding of the general public was not very possible. Thus, few sections were omitted as well. For those who wish to peruse these sections, they will need to refer to the original text of Ahkaam-e-Shariat. This translation of Ahkaam-e-Shariat is thus a summarised and simplified version of the original and presents more than two hundred queries presented to Aala Hazrat (radi Allahu anhu) and the verdicts that he decreed in response to these queries. Most of the questions and answers

here are from part one and two of the original and a few from part three. Insha Allah, those questions and answers that were not incorporated in this translation will be soon published with necessary explanations and footnotes as another booklet. I have no doubt that those who are truly seeking out knowledge will find this book very interesting and educational and a means of increasing their knowledge.

I pray in the Court of Almighty through the Wasila of Nabi-e-Akram (Sall Allahu Alaihi Wa Sallam) that this book is a means of increasing the knowledge of the Muslim Ummah. I pray that it is a means of salvation for me in the world and hereafter as well.

I must thank all those who have assisted me in making this book a success. I must thank my Deeni Brother, Dr Ahmed Girach Razvi Noori for his generous contribution towards this book for the Esaal-e-Sawaab of his parents. May Almighty Allah bless him and his family with strength in Imaan and Barkat in Deen and Duniya.

My Special Thanks and appreciation to:

1. *My Beloved Parents, Haji Cassim Goolam Rasool and Hajiani Khadija Goolam for their efforts in giving me this Knowledge of Deen and for their Duas, without which I would never have been able to do any of this.*
2. *My wife Fathima Cassim, for her moral support and patience during the lengthy hours I spent translating this book.*
3. *Janaab Haji Mohamed Amod, for spending lengthy hours helping to prepare this book for printing and being there whenever I required his assistance.*
4. *Our Brother Sameer, for designing the beautiful cover of Ahkaam-e-Shariat on very short notice.*

Finally, I must thank all those brothers who assisted in any other way possible in making this translation a reality. May Allah Almighty bless all of them with His Mercy and Blessings. Aameen

*Kaam Wo Le lijiyed Tum Ko Jo Raazi Kare
Theek Ho Naam-e-Raza Tum Pe Karoro Durood*

Sag-e-MUFTI-E-AZAM

Muhammad Afthab Cassim Razvi Noori

Question: 2nd Rabi ul Aakhir Shareef 1320 Hijri:

What do the learned Ulama-e-Deen and the Mufti's of Islam decree in the issue of Jhinga (shrimp / prawn). Is it permissible to eat it or not? Or is it Makhrooh or Haraam? Please forward a reply with signature and Official seal.

The Answer: In our Madhab (Hanafi), with the exception of fish, all the other (sea) creatures are regarded as Haraam (not permissible for consumption). Thus, those few who say that the jhinga (shrimp) is not a fish, according to them; it should be regarded as haraam. This humble servant has however, researched this thoroughly and has found that according to the Books of Language (Dictionary); Books of Tibb and the Books of information on animals, the jhinga is regarded a fish.

It is in Qaamoos: "Irbiyaan (shrimp) which is with the Hamza-e-Maksoora, is a fish, which in appearance is like a large ant."

It is in Sihah and Taajul Uroos as follows: "Irbiyaan is a whitish fish which looks like a large ant and is usually found in Basra."

It is in Siraah as follows: "Irbiyaan is a type of fish."

It is in Muntahi ul Arab as follows: Irbiyaan is a type of fish which is known as jhinga in hindi

It is in Makhzan as follows: "It is known as Roobiyaan and Irbiyaan. It is called Roobiyaan Fish and Machli and Mek Machli and in Hindi it is called jhinga."

It is in Tuhfatul Mo'mineen as follows, "In Farsi, Roobiyaan is the name of a Fish."

It is in Tazkira-e-Dawood as follows: "Roobiyaan is a type of fish which is found a lot in the seas of Iraq and Qaam. It is like a reddish crab with lots of legs, but it has more flesh on it."

It is in Hayaatul Haywaan Kubra as follows: Roobiyaan is slightly red and is a very small fish.

Now after examining all this, then according to Merajud Diraaya it should be Halaal since in the quotation of Merajud Diraaya it is clear that all

species of fish are Halaal: “And Taafi is not a fixed species, but it is a description which every species is linked towards.”

It is clearly stated as follows in the Meraj (book as mentioned above), “Such a small fish in which the stomach can not be cut open and it is fried (or cooked) without removing the stomach, then with the exception of Imam Shafi’i it is Halaal according to all the A’ima. It is in Raddul Muhtar that it has been mentioned in Merajud Diraaya. If a fish is found in the stomach of a fish then it can be consumed, but according to Imam Shafi’i (radi Allahu anhu) it will not be eaten as it is regarded in the ruling of bird droppings and according to him, the droppings of the bird is regarded as napaak (impurity).”

We say that it is only regarded as droppings if it has changed its originality. As for those fish which are so small that their stomachs can not be cut open, then according to the Shafi’i Imams, it is not Halaal to consume, since they base this on the (same) ruling that (apply to) the droppings of the bird as being an impurity and according to the remainder of the Ulama, to consume such fish is halaal.

However, this faqeer (Aala Hazrat) has seen in Jawaahir that all such small fish are Makrooh-e-Tahreemi and this seems to be more correct. It is in Jawaahir as follows: “It has been mentioned that all very small fish are Makrooh-e-Tahreemi. This seems to be more correct. The jhinga (shrimp) looks a lot different from any other fish. It looks more like a worm and it must be noted that the term Maahi (fish) is also used for things which are not really from the fish species, such as a skink or a small limbed lizard, even though it is the young of an alligator and is born on the dry banks of the river Nile (commonly). There is no source according to our A’ima (Learned Leaders) that shows the shrimp to be lawful to consume and even if it is a fish, then the shrimps here are generally very small and the law will be as correctly mentioned in Jawaahir. Thus, it is better when faced with such difference of opinion and doubt to abstain if there is no necessity, and to abstain is Oola (better).

والله تعالى اعلم
كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

First Note: It is the manner of the learned scholars to end their decrees with the words “**And Allah Knows**” which in Arabic will read as follows:

والله تعالى اعلم This will be used at the end of the decrees rather than the translation.

Second Note: The above mentioned Arabic text is one of the ways which Aala Hazrat (radi Allahu anhu) ended his decrees and this became one of his well recognised signatures, wherein he referred to himself as the servant of the religion, hopeful of salvation through his Master Muhammad (sall Allahu alaihi wasallam). This will not be translated in the rest of the book, but the actual Arabic text will be used to end the decrees. Another

Question: 3rd Rabi ul Aakhir Shareef 1320 Hijri

What do the learned Ulama and the Learned Muftis say concerning whether it is permissible to say “Ya Rasoolallah” sallal laahu alaihi wasallam and Ya Wali Allah? Is it permissible or not to seek assistance from the Prophets and saints and to say “Ya Ali Mushkil Kusha” in times of need? Please answer this query with your signature and seal, so that I may be confident and clear in explaining this to the people. Also please translate in Urdu the verses of the Quran and Hadith etc. where ever they appear in your answer.

The Answer: It is permissible as long as you accept them as the servants of Allah and wasila in the Court of Allah and to fully accept that they have been blessed with this excellence through the permission and Will of Allah. One must have complete faith in the fact that without Allah’s Will, even one atom can not move. And without doubt, this is the belief of every Muslim. To think contrary to this concerning the Muslims is to falsely accuse them, which itself is haraam. Without Allah’s giving, none can give even one grain, one can not hear a single alphabet, and one can not even blink once. Now, undoubtedly, to call to them truly and sincerely believing this, is totally permissible. It is evident from the Hadith of Jaame Tirmizi etc. that the Holy Prophet (Sall Allahu alaihi wasallam)himself taught the following dua to a blind man. He said that after Namaaz he should read: “Ya Rasoolullah (Sallal laahu alaihi wasallam), I turn my attention towards my Creator through the wasila of Huzoor (Sall Allahu alaihi wasallam)in seeking what I wish for, so that this need of mine is fulfilled.”

In some narrations it has been narrated as follows: “So that the Prophet (Sall Allahu alaihi wasallam)may fulfill this need of mine.” The blind person read this dua and was immediately able to see.

It is in the Hadith of Tibraani etc. that in the time of Hazrat Uthman-e-Ghani (radi Allahu anhu), a companion by the name of Hazrat Uthman bin Haneef (radi Allahu anhu) gave this dua to a Sahabi or Taabi'ee to recite. After Namaaz, he said, "Ya Rasoolallah (sallal laahu alaihi wasallam), I turn my attention towards Almighty Allah whilst making the Prophet (Sall Allaho alaihi wasallam) my wasila." Even his need was fulfilled. Thus, the Ulama-e-Kiraam said this to be effective in having ones needs fulfilled.

It is also as follows in the Hadith: "When you wish to call out and ask help, then you say this, 'Assist me O servants of Allah.'"

It is in Fatawa Khairiyah as follows: "Ya Sheikh Abdal Qadir Jilani Shai an Lil'lah is a call. What reason is there for it to be prohibited?"

This humble servant (Aala Hazrat) has written a booklet on this topic by the name of "Anwaarul Intiba Fi Haali Nida Ya Rasoolallah" (sallal laahu alaihi wasallam). Peruse this booklet and you will find it very clear that in every era and every time, the Ulama and the pious have always called for help from the beloveds of Allah in times of difficulty. According to the Wahabis, from the Sahaba's time onwards, all the pious servants of Allah would be branded as Mushriks (Allah Forbid). "Wa laa Howla wa Laa Quw'wata il'la bil'laahil Aliyil Azeem" والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 4th Rabi ul Aakhir Shareef 1320 Hijri

What is the ruling of learned Hanafi Ulama (May Allah have mercy on you all and may He give blessings in your knowledge, for you are the ones who pass the blessings of knowledge to the people). Is it Makrooh or Makrooh-e-Tahreemi to wear in Namaaz, the uniform that is worn by the police and is it permissible to wear a Dhoti for Namaaz, which is the dress of the Kufaar?

The Answer: To read Namaaz in the said uniform is Makrooh, especially if it interferes in the prescribed manner of making Sajdah. It is as follows in the Fatwa of Imam Qaazi Khan: "If a tailor is requested to sew a type of

clothing which is the dress of the Fusaq (open transgressors) and he knows that he will be paid handsomely for this, then it is mustahab (desirable in Shariat) for him not to take such a job, since to do such a job is to assist in sin.”

It is also Makrooh to read Namaaz whilst wearing a Dhoti. Even if it were not the dress of the hindus etc. just to fold the clothes backwards and tuck it, is an action that will make the Namaaz Makrooh. “The Prophet (Sall Allaho alaihi wasallam) stopped us from coiling our hair and folding our clothes.”

If one does not pull the cloth under ones self tucking it at the back, then just by leaving it in front, it is a tahband (lungi – waist cloth) and there is no objection to this, but actually it is sunnat. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 6th Rabi ul Aakhir Shareef 1320 Hirji

What is the ruling of the Ulama-e-Ahle Sunnat concerning whether the Jhoota (Food which has already been eaten from) of a kaafir (unbeliever) is paak (clean) or not? Please make sure everything has been translated into Urdu, so that the general public may understand properly.

The Answer: A kaafir is Na paak (impure). Almighty Allah says, “The Unbeliever is completely impure.” (Surah Tauba verse 28) **والله تعالى اعلم**

Here, there impurity refers to their inner impurity. Now, if there is evidence of alcohol or any other impure substance in their mouth, then impurity also becomes apparent and in such case, their jhoota is definitely impure and whatever their saliva touches such as Huqqa etc. will all become na paak. It is in Tanweerul Absaar: “The jhoota of a person after consuming alcohol and the jhoota of a cat after eating mice are both impure.”

In the same way, if the moustache of a kaafir who takes alcohol is so big that the alcohol gets onto it, then whatever it touches, such as water etc. will be impure and this is until he does not thoroughly clean it.”

If there is no sign of apparent impurities then even though his jhoota will not be called na paak like that of a dogs, “It is in Tanweerul Absaar and Durar that the jhoota of humans is regarded as pure, even though it is that of person in state of Junoob (in need of ghusl), or a kaafir, condition that his mouth is paak.”

In brief, It is not necessary that everything which is not na paak is totally pure and without defects. The mucus from the nose is also not regarded as na paak, but which intelligent person will have the audacity of licking it with ones tongue or lips? Muslims, Alhumdulillah feel the same way and have the same dislike concerning the jhoota of a kaafir and this dislike is based on their Imaan:

“And this is to remove or make less the dislike of the Kufaar from their hearts and their sights, and this is disloyalty to the Muslims. Verily the Ulama have clarified this just as it has been mentioned in Uqood Dariya. Verily the Mufti must give that fatwa (verdict) which according to him is best for the Muslims and the best thing for the Muslims is to keep in them the dislike for the Kufaar, and not in removing this (dislike).”

Thus, one who intentionally eats and drinks the jhoota of kaafir is also disliked by other Muslims. He becomes one concerning whom people have suspicions. They suspect him to have love and friendship with the Kufaar. It is in the Hadith Shareef as follows: “One, who has faith in Allah and the last day, should not stand in suspicious places.”

The Prophet (Sall Allahu alaihi wasallam) has stated in numerous Hadith: “Stay away from that which is bad to hear.”

رواه الامام احمد عن ابى الغادية والطرانى فى الكبير و ابن سعد فى طبقات و العسكرى فى الامثال و ابن مندة فى المعرفة والخطيب فى الموتلف كلهم عن ام الغادية عمه العاص بن عمرو الطفاوى و عبدالله بن احمد الامام فى الزوائد المسند و ابو نعيم و ابن مندة كلاهما فى المعرفة عن العاص المذكور مرسله و ابونعيم فىها عن حبيب بن الحارث رضى الله تعالى عنهم

Also the Prophet (Sall Allahu alaihi wasallam) has stated in numerous Hadith as follows: “Stay away from every such thing for which you have to present an excuse.”

رواه الضياء فى المختارة والديلمى كلاهما بسند حسن عن انس و الطبرانى فى الاوسط عن جابر و ابن بنيع و من طريقة العسكرى فى امثاله والقضاعى فى مسنده معا و البغوى و من طريقة الطبرانى فى اوسطه والمخلص فى السادس من فوائده و ابو محمد الابراهيمى فى كتاب الصلوة و ابن النجار فى تاريخه كلهم عن ابن عمرو و الحاكم فى صحيحه و البيهقى فى الزهد و العسكرى فى الامثال و ابو نعيم فى المعرفة عن سعد بن ابى وقاص و احمد و ابن ماجة بسند احسن و ابن عساكر عن ابى ايوب الانصارى كلهم رافيعه الى النبى صلى الله تعالى عليه وسلم والبغارى فى تاريخه و الطبرانى فى الكبير وابن مندة عن سعد بن عمارة من قوله رضى الله تعالى عنهم اجمعين

And the Prophet (Sall Allaho alaihi wasallam) says, "Give glad tidings and do not do that which causes dislike (hatred) amongst the people."

Then, to open this topic without valid reason in Shariat is ghibat and ghibat is haraam. (فما ادى اليه فلاقل ان يكون مكرها)

Thus it has been proven from evidence of Shariah and sahih Ahadith that it is necessary to abstain from the jhoota of unbelievers:

And numerous laws in times differ due to difference of opinion based on the difference of the era and situation. The proofs of this are those Furoo (practical laws) which are gathered in the books of the Imams. This is which I (Aala Hazrat) have and with this, I have given the fatwa on numerous occasions, and Allah Almighty is my Rubb. My complete trust is in Him and my proof is from Him, and Allah, All Pure, Almighty, knows well everything." والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 7th Rabi ul Aakhir Shareef 1320 Hijri

What is the ruling of the learned Ulama in the following case: A person stood up to pray Zuhr Salaah and after reading the four sunnats, he unintentionally made the niyyat for four sunnats again, whereas he had to read four fard. After completing two rakaats of Sunnah Namaaz, he realized that he should have been performing Fard Namaaz. He thus made the intention of Fard in his heart (at this stage), that "I am performing Fard". He

regarded the first two as being read as Sunnah by mistake and thus only read Surah Faateha in the second two rakaats with the intention of it now being a Fard Namaaz. Now, in the said case, is his Namaaz Fard or Sunnat Namaaz?

The Answer: This Namaaz is neither regarded as Fard nor Sunnat. It is not regarded as Fard, since he had not made intention for Fard in the first two rakaats and after doing the actions of Fard, there is no basis for (changing the) intention فى الدر المختار لا عبرة بنية متاخرة عنها على المذهب It is in Durr-e- Mukhtar that there is no basis of intention afterwards and this is based on our Madhab.

If in reading the last two rakaats, he did not make the intention of Fard in the third rakaat at the time of the first takbeer, then the intention itself is meaningless.

If he made the intention at this time, then he has gone from the first intention towards the Fard. If he had completed the four rakaats in this way, then the Fard would have been done. Since by doing what he did, he terminated the initial two rakaats and thus this too will not suffice for the Namaaz being Fard Namaaz.

It is in Durr-e-Mukhtar as follows; The Namaaz becomes invalidated by going from one Namaaz into another Namaaz, which is contrary to the first Namaaz. It is stated in Shaami that it is like when a person makes intention in the heart with the takbeers to leave and enter into the related.

The Author of Nahr has stated that it is the example of a person who read one rakaats of Zuhr Namaaz and then (suddenly) started his Asr Namaaz or it is like he suddenly started Nafil Namaaz with the takbeer.

According to the Shaikhain, if he is Saahib-e-Tarteeb, then he is commencing Nafil. According to Imam Muhammad either there is difference of opinion or the Namaaz did not take place.

If it was ended due to shortage of time or because of excessiveness, then it is fine for him to start Asr, because he has made intention to attain that which he is not already in. He has thus come out of the first Namaaz. The

coming out of the first Namaaz is based on the condition of commencing another Namaaz beside the first even if the change was for a reason.”

As for the issue of the sunnat not taking place, then this is clear that he had already read the sunnats and even if he made the intention for fard in the third rakaat or any other rakaats at the time of its first takbeer, then too, the sunnat would have not been valid, since he has moved towards Fard Namaaz based on his intention. It must be thus concluded that these rakaats (which he read) will be regarded as Nafil. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 9th Rabi ul Aakhir Shareef 1320 Hijri

What do the Ulama-e-Deen and learned Muftis decree in the said case, where a person says bismillah and then fires his rifle at a game animal. Once the animal had dropped, he went to it and found no signs of life present in it and nor was there any movement in it. When he made zibah (slaughtered) the animal, the blood flowed properly. Now, is this animal regarded as halaal or haraam? If he did not make the animal zibah, then in such a case is it regarded as halaal or haraam? And also explain what the ruling is if the bleeding is not spontaneous.

The Answer: If one made zibah of the animal and at the time of zibah, there were signs of life in the animal, i.e. it was moving or it was kicking or showing signs of discomfort during zibah, even though the blood did not flow well, or it let out blood like blood comes out of an animal that is made zibah, even though it did not move or if there are any other signs that prove it was alive at the time of zibah, it will be regarded as Halaal. The basis is zibah and it should be made zibah. If there are any signs of life in it, even though it does not move vigorously, it will be regarded as halaal, otherwise it will be regarded as haraam. It is in Durr-e-Mukhtar as follows: “A sick goat is made zibah and it moved (during zibah) or it squirted out blood, then it is regarded as halaal, if not it is not halaal if there is no sign of life at the time of zibah. If there is evidence of life at the time of zibah, then it is definitely halaal, even though it does not move and blood does not flow. The ruling is the same regarding the animal that has been strangled or the animal which fell from a height or an animal that has been injured by the horns (of another) or the animal whose stomach has been torn open by a

wolf. In all the above mentioned cases, if the animals are made zibah, then they will be regarded as halaal, even though only very little life is left in them and this is the decree (fatwa) as it is based on the command of Allah “But that which you have slaughtered without delay”

It has been mentioned in Raddul Muhtaar from Bazaazi who narrated from Isbijaabi, who in turn narrated from Imam Azam Abu Hanifa (radi Allahu anhu) that just the oozing of blood is not enough to prove the animal was alive, unless it flows in such a way like it flows from some living creature. This is the clear narration.

It is in the same as follows: “If an animal falls from a height and is close to death but all the signs of life are present and is on the basis of what is mentioned in the Quran, even if it is Natiah or Mauqooza and even if there is only little life left, then it is just as we have mentioned. The fatwa is thus given based on this.”

It is in Tanzeel as follows: “Mauqooza refers to that which has been beaten by a stick or stone.”

Qatadah has mentioned that the kufaar used to beat the animals to an extent that it would die and then they would eat it. I (Aala Hazrat) must say that all these animals that have been hit by something powerful, even though it may be a hand gun, it is regarded in the law of Mauqooza (that animal that has been severely beaten) and such animals become halaal at the time of zibah even though there is only very little life left in it.

It is in Raddul Muhtaar as follows: ‘It is evident that the injury afflicted through a gun is caused through burning and force caused by the firing of the bullet. Since the gun does not have a cutting blade (like a knife), the animal killed (just by shooting alone) is not regarded as halaal. The fatwa here is also as per the decree of ibn Najeem. And Allah is all knowing.

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 10th Rabi ul Aakhir 1320 Hijri

What is the ruling of the learned Ulama in the case where a person goes game hunting daily for sport? According to Shariah up to what extent is

game hunting permissible as a sport and when should this be done? Is such a person regarded as sinful for hunting on a daily basis?

The Answer: To hunt just for the sake of sport and for leisure is known as game hunting for pleasure. Now, if a person hunts using a gun or goes fishing just for sport and for fun, and whether it is done daily or occasionally, then it is unanimously regarded as being completely forbidden. It is only regarded as halaal if it is specifically for eating, or for attaining benefit or to alleviate any harmful thing. The professional hunters of today are so arrogant that they feel it against their status to even go into a marketplace to purchase some of their own necessities. Most of them are so "weak" that they can not even walk ten paces in the sun to get to the Musjid and they regard this as a burden, yet the very same people will leave their families for two days at a time, and bare the intense heat of the mid day, bare the hot wind and all the difficulties just to hunt. This is definitely not done for the purpose of eating, but it is for sport and a waste of valuable time and such hunting is regarded unanimously as haraam.

One sign of these hunters is that if they are told that there is no need to go hunting for game, such as if they are told that fish is available in the market or that you will bring them some fish, they will never agree to it as their aim is to go out. Usually after catching whatever they are able to catch, they do not even eat of it, but rather they give it away to others. Once this happens, it becomes clear that the aim is only for fun and nothing else and this is haraam. It has been clarified in Durr-e-Mukhtar-e-Mukhtar and in Bazaazia, in Majma'ul Fatawa and in Ghuniya and Khaania etc and the same is in Raddul Muhtaar. And Almighty Allah Knows Best

كتبه عبده المذنب احمد رضا عفى عنه
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Question: 12 Rabi ul Aakhir Shareef 1320 Hijri

What is the ruling of the Ulama-e-Kiraam concerning this poetic stanza in Shara' Muhammadi part 28, under the section dealing with Makrooh actions in wudhu.

Teesre Taambe Ke bartan se agar He wudhu Naqis karega jo basher
(This stanza actually shows that if one makes wudhu from a

Copper utensil his wudhu is makrooh)

What can not be understood is why it is makrooh to make wudhu from a copper utensil? I've seen many people making wudhu from copper dishes etc. Will this make their wudhu incorrect?

The Answer: To make wudhu from a copper utensil, or to eat and drink in copper utensils are all totally permissible. There is no harm in making wudhu from it. However, it should not be done without the utensil being whitewashed. To eat or drink in it without it being whitewashed (or electroplating as is done today) is Makrooh, as it causes harm to ones body. It is however better to use a clay utensil compared to copper. The Ulama have said that from amongst the mustahab (desirable actions) in wudhu, use of a clay pot for wudhu is also mustahab. To eat and drink in it is also a sign of humility. It is mentioned in Raddul Muhtaar from Fathul Qadeer as follows: "It is from the manners of wudhu to make wudhu from a baked clay pot." It is better to keep those utensils (for eating and drinking) that are made from clay (baked), as there is not much cost and it protects one from showing pride. It has been mentioned in a Shareef that Angels come to visit that home in which clay utensils are kept. The use of copper and whitewashed utensils is also permissible. It is Makrooh to eat in copper utensils without it being whitewashed (electroplated) as the copper leaves its poison in the food and this causes major health problems. By electroplating copper (utensils), it eradicates the harmful effects. والله

تعالى اعلم
كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 13 Rabi ul Aakhir 1320 Hijri

What is the ruling of the Ulama-e-Ahle Sunnat in this case: There are some people that say there is a shaheed man living on a certain tree or in a certain compartment and they go there every Thursdays and make Fateha on sweets and rice etc. They hang garlands outside these places and burn lobaan. This happens a lot in our town. Now, do shaheeds really stay on these trees or compartments and are those who say this correct in what they say or are they wrong? Please furnish a simple answer for the understanding of the general public.

The Answer: All this is incorrect, nonsensical and corrupt. These are practices of the ignorant and must be sorted out (clarified).

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ما انزل الله بها من سلطان . ولا حول ولا قوة الا بالله العلي
العظيم . والله سبحانه تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 14 Rabi ul Aakhir 1320 Hijri

What do the learned scholars decree regarding the rights of the children towards their deceased parents?

The Answer:

1. The foremost rights of the children towards their deceased parents, is that once they have passed away, to make all arrangements for the janazah, such as ghusl, kaffan, Janazah Namaaz and burial. In doing so, one should make sure that all the sunnats and mustahabs are also fulfilled, so that the deceased may receive full blessings.
2. One should continue making dua for them and also making istighfaar for them and not to be negligent of that.
3. To always send the sawaab of sadqa and khairaat to their souls. Try not to allow any shortcoming in doing so and only do what is within your means. When reading Namaaz for you, also read Namaaz for them (send reward of Namaaz to them). When keeping fast for yourself also keep fast for them (send reward). Actually when doing any good deeds, send the reward to them and to the souls of all the deceased Muslims. Every one of them will receive their sawaab and there will be no shortage in sawaab for anyone. One will receive great success and prosperity in doing this.
4. If they owed anyone any money, then try your best to swiftly pay off this debt. One must note that by paying of their debts with your wealth is a means of blessing for you in this world and in the hereafter. If you are not able to fulfil or pay off the debt, then take assistance from close family members and other kind relatives, so that it may be paid off.
5. Try to fulfill all other debts. If they have not made Hajj, then make Hajj on their behalf or send someone to make Hajj-e-Badal. If they owed any zakaat etc. then try and pay this. If they have any fast (roza) or Namaaz that was not completed, then give kaffarah as compensation and this is based on

assumption. Take responsibility to fulfil all their shortcomings to the best of your ability and strive in doing so, so that they may gain salvation.

6. Try to the best of your ability to make sure that any permissible wasiyat (bequest) made by them is carried out, even though it may not be necessary upon you in the light of the Shariat and even if it is difficult upon you, for example if the deceased makes a bequest that half his property be given to a certain relative, even though according to shariat he was only allowed to make a bequest for one third of his property, his children should put his bequest before themselves and try to adhere to what he asked and have it fulfilled.

7. Even after their demise, to be loyal to a Qasam (oath) he had taken. In other words, if he took an oath saying that his son will not go to a certain place or meet with a certain person, then one should not think that now that he has passed away, there is no need to have any consideration for the oath he had taken. It is not so. One must continue like it was in his life time, unless there is something in Shariah that does not allow you to do so. This does not however only refer to their oaths or vows, but it refers to doing every permissible thing after their demise like they wished during their lifetime.

8. Go for ziyaarat of their graves every Friday. To recite Quran in a tone, that they are able to hear you and to send the reward of the recitation to their souls. Whenever you pass by their grave, never bypass it without making salaam to them or making Fateha.

9. Love their relatives for your entire lifetime.

10. Be kind towards their friends and always respect them.

11. Do not ever swear the parents of others, causing the other person to reply by swearing your parents

12. The object that you need to note most is that you should not remain sinful and cause them grief and sadness in their graves due to your wrongdoings. Your parents are aware of all that which you are doing. When they see you doing good deeds, they become pleased and their faces begin to beam with brightness and happiness. When they see you doing

wrong, then they become sad and their hearts become burdened. It is not for us to now cause them grief after they have gone to their graves.

We pray that Almighty Allah, The Merciful, The Compassionate, blesses all Muslims with the ability to do good deeds. We pray that Allah protects us from sinning. We pray that Allah always fills the graves of our Akaabirs (elders) with Noor and blesses them with comfort for Allah is all Powerful and we are weak and helpless. Allah is Ghani and we are dependant.

حسبنا الله و نعم الوكيل نعم المولى و نعم النصير-ولاحول و لا
قوة الا بالله العلى العظيم- و صلى الله تعالى على الشفيع
الرفيع الغفور الكريم الروف الرحيم سيدنا محمد و اله و
صحابه اجمعين-امين الحمد لله رب العالمين

This faqeer (Aala Hazrat radi Allahu anhu) would now like to present a few Ahadith from which I have derived that which I mentioned.

First Hadith: An Ansari sahaba (radi Allahu anhu) came to the Prophet Sall Allahu Alaihi Wa Sallam and asked if there was anything he could do to benefit his parents after they had passed away and the Prophet Sall Allahu Alaihi Wa Sallam said, “Yes. There are four things; to make their Namaaz (Janazah), to make Dua for their forgiveness, to fulfill their bequests and to respect their friends and relatives from their side by keeping the relationship established. These are those good actions that are to be done for them after they pass away.

Second Hadith: The Holy Prophet Sall Allahu Alaihi Wa Sallam said, “The children should make Dua-e-Maghfirat for them after they have passed away.

رواه ابن النجار عن ابى اسيد الساعدى رضى الله تعالى عنه مع
القصة و رواه البيهقى فى سننه رضى الله تعالى عنه قال قال
رسول الله صلى الله تعالى عليه وسلم لا يبقى للولد من بر
الوالد الا اربع، الصلوة عليه والدعاء له و انفاذ عهده من
بعده و صلة رحمه و اكرام صديقه

Third Hadith: The Prophet Sall Allahu Alaihi Wa Sallam said, “When a person stops making dua for his mother and father, his sustenance is stopped.”
رواه الطبرانى فى التاريخ و الديلمى عن انس بن مالك
رضى الله تعالى عنه

Fourth & Fifth Hadith: The Prophet Sall Allahu Alaihi Wa Sallam said, “If anyone of you gives some Nafil Khairaat, then he should do so on behalf of your parents, so that they may attain its reward and there shall be no shortage in reward.

رواه الطبرانى فى اوسطه و ابن عساكر عن عبدالله بن عمرو رضى
الله تعالى عنهما- و نحوه الديلمى فى مسند الفردوس عن ماوية
بن حيدة القشيري رضى الله تعالى عنهما

Sixth Hadith: A Sahabi (radi Allahu anhu) came to the Prophet (Sall Allahu Alaihi Wa Sallam) and said, “O Prophet of Allah (Sall Allahu Alaihi Wa Sallam), When my father was alive I treated him very well. Now that he has passed away what can I do to treat him well?” The Prophet (Sall Allahu Alaihi Wa Sallam) said, “To treat him well after his passing away, you must read Namaaz for him with your Namaaz and keep fast for him with your fast. “ In other words when you read Nafil Namaaz etc for your self and keep fast for your self, then you should award the reward of it to your parents. Make intention for them to receive reward as well and there will be no shortage in your sawaab. كما مرو لفظ الوجهين بل هذا الصق بالميتة محيط

It is also stated in Tataar Khaniyan and then in Durr-e-Mukhtar:

الافضل لمن يتصدق نفلأ ان ينوى لجميع المؤمنين والمؤمنات لانها تصل اليهم ولا ينقص من اجره شئى

Seventh Hadith: It is in Awsat from Tibrani and from Darqutni in sunan on the authority of Ibn Abbas (radi Allahu anhu) as follows: “One who makes Hajj on behalf of his parents and pays off their debts, then Allah will raise him amongst the pious on the day of Qiyaamah.

رواه الطبرانى فى الاوسط والدار قطنى فى السنن عن ابن عباس
رضى الله تعالى عنه

Eight Hadith: Hazrat Umar-e-Farouk (radi Allahu anhu) owed eighty thousand. At the time of his demise, he called his son Hazrat Abdullah bin Umar (radi Allahu anhu) and said, “From my belongings, first sell my things. If it is sufficient (to pay off my debt), then it is fine. If not, request (assistance) from my people, the Bani Adi, If it is still not fulfilled then request (assistance) from the Quraish and do not ask anyone else for assistance except them. He then asked his son if he would take the responsibility of fulfilling this debt and his son agreed and even before the burial of Hazrat Umar-e-Farouk (radi Allahu anhu), he made the Ansaar

and Muhajireen witness and announced that he was now responsible for the debt. Even before one week had passed, Hazrat Abdullah ibn Umar (radi Allahu anhu) paid off the debt. رواه ابن سعد فى الطبقات عن عثمان بن عروة

Ninth Hadith: A lady from the juhaina tribe came to the Prophet (Sall Allahu Alaihi Wa Sallam) and said that her mother had taken a vow to make Hajj, but she passed away before fulfilling the vow. She asked if she could fulfill the Hajj on behalf of her (deceased) mother. The Prophet (Sall Allahu Alaihi Wa Sallam) said, “Yes. You may perform Hajj on her behalf. Know well that if your mother had owed anything then you would have fulfilled it or not. In the same way, this is that which is for Allah, since it is more worthy of being fulfilled.” (Bukhari)

Tenth Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “When a person makes Hajj on behalf of his parents, then the Hajj is accepted on behalf of him and his parents and their souls which are in the skies become pleased (at his action). This person is then written down by Allah as being a person who treated his parents well.”

Eleventh Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “If a person does Hajj on behalf of his parents, then his Hajj is accepted and he is given the reward of ten more Hajj.” رواه الدار قطنى عن جابر بن عبدالله رضى الله تعالى عنهما

Twelfth Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “If a person makes Hajj on behalf of his parents after they pass away, then Allah grants him salvation from Hell and both his parents get the reward of Hajj. In reality there is no shortage in sawaab.” (Ref: Ashbahani in Targheeb and Baihaqi in Shu’ab on the authority of ibn Umar radi Allahu anhu)

Thirteenth Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “That person who fulfills the oath of his parents and pays off their debts and does not swear the parents of another so that his parents are sworn at in return, then he is written down as a person who treated his parents well, even though he may have disobeyed them in his lifetime. That person who did not fulfill their oath and pay off their debt and who swore at someone’s parents causing his parents to be sworn at, then he is written

down as an undutiful person (one who is disowned).” (Ref: Tibrani in Awsat from Abdur Rahman bin Samurah radi Allahu anhu)

Fourteenth Hadith: The Prophet (Sall Allahu Alaihi Wa Sallam) said, “That person who goes for Ziyaarat to the graves of both his parents or one of his parents on a Friday, will have his sins pardoned and he will be written as a person who was dutiful to his parents.” (Ref: Imam Tirmizi in Nawadirul Usool from Abu Hurairah radi Allahu anhu)

Fifteenth Hadith: The Prophet (Sall Allahu Alaihi Wa Sallam) said, “Any person who visits the grave of both his parents or even one of them on a Friday and recites Yaseen at their graves, will have his sins forgiven.” (Ref: Ibn Adi from Hazrat Siddique-e-Akbar radi Allahu anhu).

It is also mentioned that one who goes to the graves of both or one of his parents on a Friday and reads the Surah Yasin, Allah will make his maghfirat according to the amount of alphabets present in Surah Yasin.

رواه هو الخليلي و ابو شيخ و الديلمي وابن النجار و الرفعي
وغيرهم عن ام المومنين الصديقة عن ابىها الصديق الاكبر رضى
الله تعالى عنهما عن النبي صلى الله تعالى عليه وسلم

Sixteenth Hadith: The Prophet (Sall Allahu Alaihi Wa Sallam) said, “One who visits the grave of both or one of his parents with the intention of attaining reward, will receive the reward equivalent to that of Hajj and one who visits their graves often, will have Angels visiting his grave (after he passes away).” (Ref: Imam Tirmizi in Nawadirul Usool from Ibn Adi from Hazrat Siddique-e-Akbar radi Allahu anhu).

رواه الامام الترمذى الحكيم و ابن عدى عن ابن عمر
رضى الله تعالى عنهما

Imam Ibn Jauzi Muhadith reports in his book Uyoonul Hikayaat from Muhammad ibn Abbas (radi Allahu anhu) as follows: “A person went on a journey with his son. On the way, the father passed away. The Jungle in which he passed away was vegetated by gum trees. He buried his father under one of the trees and left. On his return journey he passed the same way, but did not visit the grave of his father. That night as he slept, he had a dream and heard someone say the following poetic verse to him in his dream:

“I saw at night as you passed by this jungle, yet you did not think of it as important to talk to those under the trees”

Yet they live in (under) these trees. For if you were in their place, then when they returned they would have stopped at your grave and conveyed salaams”

Seventeenth Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “One who wishes to be good to his father after his demise, should be good towards his fathers relatives and friends.” (Ref: Abu Ya’la and Ibn Hibaan on the authority of ibn Umar radi Allahu anhu)

Eighteenth Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “From amongst the actions that are good to your father, one is to treat his friends well (after his demise).” (Ref: Tibrani in Awsat on the authority of Anas radi Allahu anhu)

Nineteenth Hadith: The Prophet (Sall Allahu Alaihi Wa Sallam) said, “Verily the best thing amongst all things after your fathers demise is to continue treating his friends well.” (Ref: Imam Ahmed and Bukhari in Adabul Mufrad and Muslim in its Sahihs and in Abu Dawood and Tirmizi from Ibn Amar radi Allahu anhu)

Twentieth Hadith: The Prophet (Sall Allahu Alaihi Wa Sallam) said, “Take care of your father’s friends and do not break this relationship as Allah will extinguish your Noor.”

Twenty First Hadith: The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “All good deeds are presented in the Court of Allah on a Monday and Friday and they are presented before ones parents and the Ambia-e-Kiraam (alaihimus salaatu was salaam) on a Friday. They become pleased and the brightness and light in their faces increases on seeing good deeds, so fear Allah and do not cause your deceased sadness based on your sins.”

رواه الامام الحكيم عن والد عبدالعزيز رضى الله تعالى عنه

It must thus be concluded that it is not the rights of the children to cause harm to their parents, but to cause benefit. Thus, whatever blessings we receive, is through them. Every blessing and grace is based on their existence and it is due to this that this all occurs. Just by them being parents is a great blessing by itself. No matter what we do, we will never be able to repay what they have done for us by nurturing us, by the hardships the mother feels when weaning and feeding her child. No matter how grateful we are to them, it can never be enough. In brief, they are a blessing of Allah

and His Rasool (Sall Allahu Alaihi Wa Sallam) and are the manifestation of His Divine Majesty and His Mercy.

Almighty Allah spoke of their excellence whilst discussing our rights towards Him. Almighty Allah says, **“Fulfill My Rights and the rights of your parents.”**

It has been mentioned in the Hadith that one Sahabi-e-Rasool (radi Allahu anhu) presented himself in the Court of the Prophet (Sall Allahu Alaihi Wa Sallam) and said, **“Ya Rasoolallah (Sall Allahu Alaihi Wa Sallam) I carried my mother on my back and walked for six miles on rocks that were so intensely hot that if one places meat on it, it would have cooked. O Prophet of Allah (Sall Allahu Alaihi Wa Sallam), have I fulfilled my rights towards her (as her son)?”** The Prophet (Sall Allahu Alaihi Wa Sallam) said, **“Possibly it can be the recompense for one of the jolts of pain that she felt from the many jolts at the time of giving birth to you.”**

We pray that Almighty Allah protects us from being undutiful towards our parents and we pray that he blesses us with being dutiful towards them.

آمین برحمتک یا ارحم الراحمین و صلی الله تعالی علی سیدنا و مولانا محمد و اله و صحبه اجمعین امین و الحمد لله رب العلمین

کتبه عبده المذنب احمد رضا عفی عنه
بمحمّد ن المصطفى صلی الله تعالی علیه وسلم

Question: 17 Rabi ul Aakhir 1320 Hijri

What is the ruling of the Scholars of Shariat in the case where a person reads Surah Fateha and Surah Ikhlaas in the third Rakaat of witr and then makes the Takbeer and instead of Dua-e-Qunoot he reads three times Qul Huwal laahu Shareef (Surah Ikhlaas) as he does not know Dua-e-Qunoot. Will his Namaaz be correct or not? If he does this everyday and recompenses by making Sajda-e-Sahu every day will his witr be correct or not? Please present a simple answer that can be easily understood.

The Answer: There is no doubt in the Namaaz being correct. There is also no need for Sadjja-e-Sahu as no waajib was left out un-intentionally. If one does not know Dua-e-Qunoot then one must learn it, as to specifically read this dua is Sunnat and unless one does not know it, one should read,

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“Rab’bana Aatina Fid Dunya Hasanataw wa Fil Aakhirati Hasanataw Wa Qina Azaabanar Naar” (O My Creator! Grant us good on this earth and good in the hereafter and protect us from the punishment of the fire).

If one does not know this as well, then one should say “**Allah humagh firli**” thrice. If one does not even know this, then one can say **Ya Rab’bi** thrice and the waajib will be fulfilled. Now, the question concerning the recitation of Qul Huwallah Shareef in place of the Qunoot, the question here is whether it was correct and if not, then whether one will have to repeat all those Namaaz in which he did this. That which is clear is that it has been fulfilled as it is Thanaa (praise) and all such praise is Dua. Actually Imam Qaari etc. have said from the Ulama that every dua is zikr and every zikr is dua. And it is evident that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said that the most exalted dua is “**Alhumdu lillah**” This has been narrated by Tirmizi as a Hassan narration and Haakim has mentioned it to be Sahih on the authority of Jaabir ibn Abdullah (radi Allahu anhu). Remember it and keep it well protected. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 19 Rabi ul Aakhir 1320 Hijri

What is the ruling of the Ulama-e-Kiraam in the following case: Is it permissible to fly kites or not? Is it permissible to seize its flying string (from others)? If one seizes the string from another person’s (kite) and then uses it to sew clothing and then reads Namaaz with the same clothes, will there be any shortcoming in the Namaaz?

The Answer: To fly kites is to waste time and this is not permissible. It is in the Hadith Shareef, “With the exception of three things, all other playing for Muslims is haraam.” To seize the string is to loot and looting is Haraam. The Prophet (Sall Allahu Alaihi Wa Sallam) forbade us from looting (the things of others). If one finds string that has broken off and is laying somewhere, then it is fard to give it to its owner. If one did not return it to the owner and used it to sew clothes without the owner’s permission, then it is haraam to wear that clothing. To wear these clothes and read Namaaz is Makrooh-e-Tahreemi and to repeat any Namaaz read

with this clothing is waajib. This is based on partaking in that which is haraam such as reading Namaaz on a piece of land that has been usurped.

If the owner can not be located, then rule will be of that which was found lying around. The ruling is that it should be well announced that you have found this. This should be done until one is sure that the owner can not be found. If at this time, the person who found it is Ghani (wealthy), then he must give it to a faqeer (poor person) and if the one who found it is a poor person, then he may use it for himself. Now, if the owner is found later and he is not pleased with it being used by the faqeer, then one has to give compensation for it. كما هو معروف فى الفقه من حكم اللقطة والله سبحانه و تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
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Question: 20th Rabi ul Aakhir 1320 Hijri

What is the ruling of the learned Ulama regarding whether it is permissible to keep dogs or not? Is it permissible to keep pigeons without the intention of racing them? What about the ruling regarding quail fighting and cock fighting? Also what is the rule regarding the keeping of falcons and eagles and to use them for hunting and to then to eat which they have hunted?

The Answer: It is permissible to keep falcons and eagles and to use it for hunting is also allowed and to eat which they have hunted is also allowed. Almighty Allah says, “And which hunting animals have you trained for hunting” (Surah Maida, verse 4).

It must however be noted that the animal must be hunted for the purpose of attaining food, for medicinal purpose or for any beneficial reason. It should not be just for sport and for fun. This is a waste of time and is haraam and those who do this are sinful. That animal that is killed by them is halaal if they have been well trained to hunt and bismillah was said when releasing them. It is clear that to release if for the sake of game hunting (for sport) is haraam and this does not interfere which the Zibah according to Sharia just as to take Allah’s name and then strike a sheep from the neck (nape) is a haraam action, but to eat such an animal is halaal.

Quail fights, cock fighting, and getting any other animal to fight, like the way people fight rams, little birds and some even fight haraam animals
www.alahazratnetwork.org 28

such as elephants and bears are all haraam as this is to cause pain to animals without reason. It has been mentioned in the Hadith Shareef that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) has prohibited us from fighting animals (against one another). (Ref: Abu Dawood and Tirmizi from Ibn Abbas radi Allahu anhu and Tirmizi has categorized it as Hassan Sahih)

To keep pigeons just for the sake of comforting ones heart and not for any impermissible reason is allowed. To fly pigeons from rooftops so that one may go on the rooftops and look at our Muslims females, or to throw stones at the pigeons, causing windows to break and the danger of injuring someone's eye, to fly pigeons to capture the pigeons belonging to others or to fly them the entire day absolutely hungry, and to enjoy seeing them fly in this way, not even allowing them to land when they need are all improper and to keep the pigeons for these reasons is haraam. It is in Durr-e-Mukhtar as follows: "It is Makrooh (to keep the pigeons caged) even if it is in their special enclosure (if this is to harm others). This is when this harm is caused through looking (at what is not allowed) and by trapping the pigeons of others. Thus, if one flies them from a rooftop and this causes disclosure of females, and if one throws stones, causing windows to break, then the person who threw the stones will be answerable and he will be stopped from doing this very sternly. If he does not abstain from this, then the chief police officer of the town has the right to make them (the pigeons) zibah. If they are not for flying, then this is doing what is best due to feeling for the pigeons and this is Mubah (permitted)."

It is in Sahih Bukhari etc. on the authority of Abdullah bin Umar (radi Allahu anhu) and in the Sahih of Ibn Hibaan on the authority of Abdullah ibn Umar (radi Allahu anhu) that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "A lady went into hell because of a cat. She kept the cat tied up. Neither did she feed it nor did she release it, so that she may be free and eat the mice etc." It has been mentioned in the narration of ibn Hibaan that the said cat has been appointed to punish the woman in hell and it bites her with its teeth from in front and from behind.

It has been mentioned in one Hadith that if you have an animal (pet), then offer it food and water seventy times in a day. We should not leave them hungry for the entire day, and when they wish to land (like birds) then we do not allow them to do so. The learned Ulama have mentioned that it is

worse to make Zulm (cruelty) upon an animal than on a zimmi Kaafir and to make zulm on a zimmi Kaafir is worse than making zulm on a Muslim. (This has been mentioned in Durr-e-Mukhtar etc). The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “Zulm will be awarded with the same on the day of Qayamat.”

Almighty Allah says, **“Listen Well! The curse of Allah is upon those who inflict cruelty.”** (Surah Hud)

It is haraam to keep dogs. The Angels of mercy do not enter that house in which there are dogs. The good deed of such a person (who keeps dogs) diminishes every day. The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, **“The Angels of mercy do not enter that house in which there are dogs and pictures (of living things).”** (Reported by Ahmed; Shaikhain; Tirmizi; Nis’ai and ibn Majah from Abu Talha radi Allahu anhu).

The Holy Prophet (Sall Allahu Alaihi Wa Sallam) also said, **“One who keeps dogs except for hunting and for protection of crop etc, will loose two qeerat daily from his good deeds.”** Allah and His Rasool Sall Allahu Alaihi Wa Sallam know best what is the amount of one qeerat) (Ref: Ahmed, Bukhari, Muslim, Tirmizi and Nisa’i from Abdullah ibn Umar radi Allahu anhu)

Thus, one is only allowed to keep dogs for two reasons. The first is for hunting. This is if the animal is hunted for food, for medicinal reasons or other beneficial reasons. The second is to keep a dog for the protection of ones crop, farm, or house and this is only where there is a definite need to keep it for protection. However, if one keeps the dog without such reasons, in other words one knows that there is no valuables in his home, or the house is in a very secure location where there is no fear of burglaries or if one knows that truly that there is no need for the dog, but it is being kept just as a pet because one likes keeping dogs, then this is not permissible. Even those houses around you need protection and if they felt that keeping a dog was the only means of protection, then they too would have kept dogs. In brief is must noted that one should not look for excuses in the laws of Allah, for Allah knows well the thoughts of the heart. والله تعالى
اعلم

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Question: 21st Rabi ul Aakhir 1320 Hijri

What is the ruling of the learned Ulama in this case: Can the Muslims eat that animal which has been hunted by a dog or not? A dog caught a rabbit in such a grip that the teeth of the dog have sunk into the flesh of the rabbit the dog has chewed most of the rabbit's body and the rabbit is bleeding profusely. However, there is still some sign of life in the rabbit. Now, can that rabbit be made zibah and then eaten?

The Answer: If a Muslim or Kitaabi sensible person who is not in ehraam says bismillah and releases a well trained hunting dog to hunt for its master, and the dog does not start eating the animal for itself, or any halaal wild animal that is not within the haram and which has the means to save itself by flying with its wings or running, and if on releasing it, the dog went straight to its target, or it was busy in strategizing how to hunt the animal and was not at any time in between distracted in doing something else, and it caused the animal to die by injuring it, or it left it in such a state, as an animal that has already been made zibah, in other words it jerks restlessly and then becomes cold after a while, and if no Kaafir, majoosi, idol worshipper, mulhid or murtad (like the christians of today; raafdhis; and nechris (atheist) etc. in other words except a Muslim and a kitaabi, no one else was part of releasing the dog for the hunt, and neither was there any other untrained dog or the dog of an atheist etc. that was part of the kill with the actual dog that was released or that which was for any other animal which is impermissible to hunt, and if the one who released the animal was constantly tracking the animal until the end of the hunt and did not leave the dog unattended and become engrossed in something else, then such an animal has become halaal even without zibah. If from the fourteen conditions mentioned above, any one is violated, and the animal dies without zibah, then the animal will be regarded as haraam. However, that (wild) animal which is within the haram is not even regarded as halaal for consumption even after zibah (as to hunt in the haram is forbidden). In any other case, the animal will be regarded as halaal only if it is slaughtered as per the Sharia. It is in Tanweerul Absaar, Durr-e-Mukhtar and Raddul Muhtar as follows:

“A hunted animal is only regarded as mubah (allowed to eat) if there are fifteen conditions fulfilled. There are five of these conditions which need to be found in the hunter. They are: 1. the hunter must be worthy of making the zibah 2. He must personally release the hunting animal 3. There must be

no such person part of releasing the animal with him whose hunting is not regarded as halaal 4. He must not have intentionally omitted saying bismillah 5. The hunter should not be engrossed in any other action from the time of releasing the hunting animal until it has completed its hunt. There are also five conditions in the dog which are: 1. the dog is a well trained hunting dog 2. The animal must go directly towards the target once released 3. No such other dog must be part of the hunt whose hunting is haraam 4. The dog must injure and kill the animal 5. The dog must not eat the animal for itself. There are also five conditions that need to be met in the hunted animal which are: 1. It must not be Hashraatul ard (insect or reptile living in the ground etc) 2. With the exception of fish it should not be any other sea creature 3. The animal is able to try to save itself by means of flying or running 4. The animal does not attain its food (prey) by use of its talons or its teeth 5. And it died before the hunter can make it zibah.”

I have said the statement where it speaks of the animal dying, refers to really dying or according to the rule being regarded as dead, in other words it has only that amount of life present in it that is left in an animal that has been slaughtered, in other words it jerks restlessly and then becomes cold after a short while, just as it has been explained in Durr-e-Mukhtar and Mahshi has given preference to this ruling.

It is also mentioned in the same books as follows: ***“It is a condition that hunter must be a Muslim who is not in ehraam and is not hunting inside the haram. To hunt the animals of the haram is not permissible totally, (or if the zaabih is kitaabi, even though he may be insane). Insane here refers to a person who has a weak mind (not of sane mind), just as it has been mentioned in Inaaya from Nihaaya, Since the insane person does not have any solid intention or reason for performing the action and it is a condition of zibah to say bismillah with being definite, and that can only be fulfilled with proper intention and the condition of an intention is based on that which we have mentioned. In other words, if he understands the statement bismillah and he understand how to perform zibah (slaughter the animal) and he remembers this”***

Now, if all these conditions have been met, then the rabbit that was killed by the dog is absolutely halaal and if it had more life in it that is found in an already slaughtered animal, then it will only be halaal after zibah. By the teeth of the dog being sunk into the animal, it won't be a reason for it to be

impermissible to eat. The Quran has clarified this hunted animal as halaal and an animal can not be hunted without it being injured and it must be noted that the only time that an animal can be wounded is if the teeth are sunk into the target tearing the body apart and to think that the spit of the animal is impure and by it entering the body it makes the animal impure, is incorrect for two reasons. Firstly, An animal attacks in a state of complete rage and during a stage of rage (ferociousness) the animals spit becomes dry.

It is for this reason that one Jamaat (group) of Ulama have stated differently concerning the ruling when a dog grabs the end of ones clothing in a calm state and in a ferocious state. They have mentioned that in the first instance the clothing will be regarded as impure and in the second instance it will be regarded as paak (pure).

Secondly, if the saliva did enter the body, then definitely blood oozes from the body of the injured animal as well? Now, since when is this even regarded as pure? When this makes it pure (for consumption), then that too will. والله تعالى اعلم

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Question: 23rd Rabi ul Aakhir Shareef 1320 Hijri

What is the ruling of the Ulama-e-Shariat in the case where a person walks in front of a Namaazi. Is such a personal sinful or not? Does this interfere with the persons Namaaz in any way? From how far away from the Namaazi are we not allowed to pass?

The Answer: This does not interfere with the Namaaz. If the Namaaz is being read in a house or in a small Musjid, then one is not allowed to pass up to the wall in the direction of the Qibla unless there is an object in between. If he is reading on a plain (open area) or in a huge Musjid, then he is not allowed to pass as far as the place of sajdah. He may pass further than this. The place of Sajdah means, when a person is standing in salaah like the true sincere worshippers and his sight is falling upon the area that his forehead will touch when he makes sajdah, then the rule of ones sight refers to where the sight falls without any hindrance and just a little further than this, is known as the point or place of sajdah. Up to the point where the

sight falls and one is able to make sajdah, is known as the point of sajdah and to pass within this area is haraam and to pass beyond this is allowed. It is in Durr-e-Mukhtar as follows: “The legality of a person passing in a forest (open area) or in a huge Musjid beyond the Sajdah point is evident from proper narrations or to pass in front of him in this manner, up to the wall of the Qibla in a small Musjid and in the house, as it is regarded as one place.”

It is in Raddul Muhtar: “The statement about the area of sajdah refers to the area from the area where the feet (of the namaazi) are placed, up to the point where sajdah will be made, just as it has been mentioned in Durar. And this second condition is to show the sinful act of the person that passes in front. As for the issue of the Namaaz, then definitely it is not invalid. This statement is correct. Tamartaashi and Sahib-e-Bada’i have regarded this as correct. Fakhru Islam has given it even more preference, and it has been well clarified with research in Nihaaya and Fath. It means that as far as his sight falls on the one who is passing, if he reads with completely sincerity and being engrossed. In other words the sight falls there where one is to make sajdah.”

It is in Munhatul Khaaliq as follows: “The proper area of the falling of the sight is where one will make sajdah. Abu Nasr has stated that the distance is the same as there is between the Imam and the first saff (line). Or between this, which I have read from my Sheikh Minhajul A’ima (rahmatullahi alaih), in other words, to pass there where the sight of the Namaazi falls, when he is reading Namaaz with complete sincerity and being totally engrossed. This statement is clearer than the first one.”

Allama Shaami states, “Now see which is what. All have one statement and the difference of opinion is only on the statement and not in its meaning.

It is also in Raddul Muhtar: “This issue that was addressed about (in the house), shows that this applies even if the house is big. It is in Qahsitaani that a house and mansion both fall under the ruling of a small Musjid.

Now as for the issue of what is the difference of a big and small Musjid? Faadil Qahsitaani has mentioned that a small Musjid is that which is smaller than forty cubic yards.

It is in Raddul Muhtaar as follows: “a small Musjid is that which is smaller than seven yards, and it has also been mentioned smaller than forty yards, and this is what is correct, just as it has been shown in Jawaahir.

I say that here, a yard should be regarded as a cubic yard as it is that which is more logical concerning those things which are surveyed, just as Qaazi Khan has mentioned concerning water. Thus, here the same applies even more so.

And a cubic yard refers to a yard according to us in the terms of 48 fingers spaces or three foot. One yard is equal to two girahs and two thirds girahs as it has been mentioned in some of our fatawa. Now according to our measurement of a yard, those forty cubic yards will be actually fifty four yards seven girahs and one ninth of a girah. Now according to the opinion of the Allama, by our measurement of the yard, a small Musjid will be regarded as fifty four yards and seven girahs cubic and fifty four and a half yards cubic will be regarded as a big Musjid. This is what he has written, and Imam Shaami has followed this.

I say there is this doubt that the above mentioned learned Faadil did not actually examine the statements in Jawaahir. According to the statement in Jawaahir, it shows that the issue of the house is being discussed and not that of the Musjid. A big Musjid actually is that which is like an open plain where the joining together of the saffs (lines) is a condition, like Musjid-e-Khwarzim which has sixteen thousand pillars. All the other Musjids, even if they are ten thousand yards cubic in size, will be regarded as a small Musjid and to pass in the direction of the Qibla wall without any object in between is not allowed. والله تعالى اعلم.

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Question: 24 Rabi ul Aakhir 1320 Hirji

What is the ruling of the learned Ulama in this case: A few people are seated in one place together and a person came to them and said, “As Salaamu Alaikum” In Answer the replied “Adaab Arz” or “Tasleemat” or “Bandagi” or one person raised his hand up to his forehead and did not answer anything verbally. Now, did the person fulfill the Fard-e-Kifaayah or not?

The Answer: No (The obligation was not fulfilled) and all of them are sinful until any one of them does not say Wa Alaikumus salaam or Wa alaik or As salaamu Alaikum. The words mentioned above, such as bandagi, tasleemaat, Adaab etc. are not words of salaam. Just to raise the hand is meaningless unless the words of salaam are mentioned with it. It is in Raddul Muhtaar from Zaheeriyah as follows: “The words of salaam in all places is “As Salaamu Alaikum” or saying it with the tanween and with the exception of this, all the other ways of the ignorant is not regarded as salaam.”

I say that the reply will not be fulfilled, since the answer to salaam will be salaam alone or with extra words of salaam such as mention of mercy and blessings, and this is on the basis of the command of Allah, ‘When salaam is being conveyed to you with salaam, then you too reply to the salaam with a good salaam or return the same’ It must be noted that this manner that has been adopted, be it words or signs, then they will either be regarded as salaam or not. In the second case (if it is not salaam), then one will not be relieved from the responsibility of replying to the salaam. In the first instance, this new way that has been adopted is neither salaam and not is it better than salaam for that which has been newly established cannot be better than what has been mentioned in the Sharia and the responsibility of fulfilling the Waajib-e-Kifaayah (that which was compulsory upon every one of them).

It is in Mirkaat Shareef as follows: “It has been proven correctly from Hadith-e-Mutawaatira that to make salaam with words (verbally) is sunnat and the reply is waajib in the same manner (verbally).”

It is in the Hadith Shareef that the Holy Prophet Sall Allahu Alaihi Wa Sallam said, “He is not from us, who imitates others. Do not imitate the jews or the Christians for the greeting of jew is by raising the finger and the greeting of the of the Christian is by raising the palm of the hand.” This has been narrated by Tirmizi from Abdullah ibn Umar (radi Allahu anhu) and he has also said that the narration is Daef. Allama Ali Qaari says that this has been mentioned possibly due to research based on narration of Amr bin Shuaib on the authority of his father who narrated from his grandfather and it is true that there has been difference of opinion regarding this before, but the thing to have confidence in here, is that this is actually a Hassan

narration. This is especially since Suyuti has narrated this Hadith in Jaame Sagheer from Ibn Amar thus the difference of opinion has ended and the difficulty has been alleviated.

I say, ‘May Allah have mercy on Ali Qaari. Suyuti has given the reference of this Hadith to be Tirmizi thus the situation has been corrected and the issue has been resolved. Thus, there is no real weakness in Tirmizi as has been assumed, for the majority of the Ulama including Tirmizi have quoted the narration of Amar bin Shu’aib from his father who narrated from his grandfather that clearly the Prophet (Sall Allahu Alaihi Wa Sallam) said. “Disapproval is permissible”. The reason that the narration is said to be of weak transmission is because the narration is from Ibn Lahi’a. Tirmizi says, ‘Qutaiba bin Lahi’a narrated a Hadith to me from Amar bin Shu’aib who narrated from his father who narrated from his grandfather that verily the Prophet (Sall Allahu Alaihi Wa Sallam) said (as per Hadith). Tirmizi said that the transmission of this Hadith is weak and still narrated it.

Ibn Mubaarak narrated this Hadith from Ibn Lahi’a and he did not remove it. And it is evident that in the book of Nikah under the topic regarding that person who marries a woman and then gives her talaq before he is intimate with her (Makes Dukhool). The Hadith being mentioned has thus been narrated with the same merits. This Hadith is not Sahih Hadith. Ibn Lahi’a’s Hadith has been made Daef and due to this, in numerous other places it has been regarded as Daef (weak chain of transmission). It is towards this which we are being pointed here. Yes, it is clear according to me, that the Hadith if ibn Lahi’a is not less meritorious than a Hassan narration and Munaawi has stated this narration in Tayseer as being Hassan. Thus, if with raising the hand etc. the words of salaam were also mentioned, then it would have been regarded as salaam. Tirmizi narrated a Hadith. He says that Suwaid narrated a Hadith to me. From him, Abdullah ibn Mubaarak reported, from him, Abdul Hamid Bahraam. It is evident that he heard from Shahr bin Khushab, he says, that he heard Asma bint yazeed narrate this Hadith that verily Rasoolullah (Sall Allahu Alaihi Wa Sallam) one day passed by the Musjid and a group of females were seated there. He (Sall Allahu Alaihi Wa Sallam) greeted them by using his hand.” Abdul Hameed did so with his hand (to show how it was done). This Hadith is regarded as Hassan. Hazrat Imam Nawawi says that this Hadith is applicable based on this, that the Prophet (Sall Allahu Alaihi Wa Sallam) combined both the use of the hand and words (of salaam) and the proof of

this, is the narration of Abu Dawood and in this narration (of Abu Dawood), it has been mentioned that they replied to the salaam of Nabi (Sall Allahu Alaihi Wa Sallam).

After presenting this narration, Allama Ali Qaari has mentioned that there is no objection even if the words of salaam were not present, since it is not necessary according to sharia to say salaams (aloud) to females when passing by them. As for the issue of the Prophet (Sall Allahu Alaihi Wa Sallam) making salaam, then, this is from amongst the unique attributes of the Prophet (Sall Allahu Alaihi Wa Sallam). Thus, he was blessed with the right to either make salaam or not to make salaam or he could show a sign (by use of the hand) or not (in other words it was as he pleased). It must be also noted that in some cases, by raising the hand does not necessarily mean that one is intending salaam, but it can be done as an action of humility as well.

I (Aala Hazrat) say, that the crux of all that has been mentioned, is this that the salaam was not really fulfilled and there is no difference in their first statement and in that which was mentioned afterwards except that there has been an issue of the showing of a sign that was mentioned. In other words, the issue of humility being mentioned and the testimony of Hazrat Asma (radi Allahu anha) that the Prophet (Sall Allahu Alaihi Wa Sallam) that the Prophet (Sall Allahu Alaihi Wa Sallam) conveyed salaams. Now, if we do not accept that this was combined with verbal salaam, then one will have to accept that just by showing the sign is salaam and it is also a fact that just by making a sign is not regarded as salaam in the Sharia. It is thus compulsory to accept about what is mentioned above, in other words there was a combination of salaam and the sign (for the hand raising). Ponder upon it, possibly there is such a bearing in his statement that I am not able to understand it. And Almighty Allah has complete knowledge of all things.

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Question: 29th Rabi ul Aakhir Shareef 1320 Hijri

What do the learned scholars of Deen state in this case: Is it permissible in the light of the Shariat, to kiss the nails when hearing the name of the Prophet (Sall Allahu Alaihi Wa Sallam) such as in Azaan and khutba etc?

The Answer: The Ulama have stated that to kiss the nails and rub it over the eyes when hearing the name of the Prophet (Sall Allahu Alaihi Wa Sallam) in Azaan is Mustahab (Desirable). It is in Raddul Muhtar as follows: It is Mustahab in Azaan when hearing the words Ash Hadu Ana Muhammadar Rasoolullah the first time, to say Sallal Laahu alaika ya Rasoolallah and to say Qurratu Aini bika Ya Rasoolallah, in other words, You are the coolness of my eyes O Prophet of Allah. After this, one should say, O Allah bless me with good hearing and good eyesight and all this must be said after placing the nails of the thumbs over the eyes. One who does so will be taken by the Holy Prophet (Sall Allahu Alaihi Wa Sallam) into Jannat. The same has also been mentioned in Kanzul Ubaad. This statement is that of Jaamiur Rumooz by Imam Qahsitaani and it has been also mentioned in Fatawa Sufiyah as mentioned here.

This Faqeer (Aala Hazrat) has written a concise book on this topic by the name, "Muneerul Ain fi Hukmi Taqbilul Ibaamain" In this book I have clarified and answered all objections with reference to numerous Ahadith. However, one should not kiss the thumb nails and place over the eyes during the Khutba, as one must be completely still and silent during the Khutba. كما بيناه فى الفتاونا و الله سبحانه و تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling of the Ulama-e-Deen regarding whether it is permissible or not to light lanterns and lights etc by the Mazaars of the Awliyah?

Is it permissible to put chaadars on the Mazaars of the Buzoorgs whilst playing musical instruments, as it is the manner today, where people light candles (lanterns) every Thursdays and carry colorful green and red chaadars (cloths) whilst playing musical instruments and go to the Mazaars. They also bring sweetmeats and rice etc. with them and keep it on the graves and make Faateha. Are these actions permissible in the light of Quran and Hadith?

The Answer: اقول و بالله التوفيق In reality the basis of ones action is ones intention. The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said,

“The reward of ones actions is based on the intention” that which is without benefit in Deen and worldly benefit is useless and that which is useless is Makrooh. To spend money in that which is abas is wastage of money and wastage is haraam. Almighty Allah says in the Holy Quran, “And do not be wasteful, for verily, Allah loves not those who are wasteful”

To give benefit to Muslims is definitely an action in accordance with Shariat.

Rasoolullah (Sall Allahu Alaihi Wa Sallam) said, “If any one of you is able to benefit your Muslim brother, he should do so.” (Ref: Muslim from Jaabir radi Allahu anhu).

To respect those things attributed to religion is also acceptable. Almighty Allah says, “For those who respect the signs of Allah, then this is from the piety of the hearts.” (Surah Al Haj, verse 32)

Almighty Allah says, “Those who respect the esteem signs of Allah, then this is best for them by their Creator.” (Surah Al Haj, verse 30)

The graves of the Awliyah-e-Kiraam and the graves of the ordinary Muslims are worthy of being respected. It is disallowed to walk, sit or just keep the foot on the graves and even to lean against it is not allowed. Imam Ahmed, Haakim, etc. narrate from Amaara bin Khurm (radi Allahu anhu) with the merit of a Hassan narration as follows: “The Prophet (Sall Allahu Alaihi Wa Sallam) saw me sitting on a grave. He said, ‘O you on the grave! Get off the grave. If you do not cause him discomfort, he will not cause you any discomfort.’”

It is in the narration of Imam Ahmed as follows: “The Prophet (Sall Allahu Alaihi Wa Sallam) saw me leaning against a grave. Either he said, ‘Do not harm the one in the grave’ or he said, ‘Do not cause discomfort to the person in the grave’”

The Prophet (Sall Allahu Alaihi Wa Sallam) said, “I prefer this, that I should walk on fire or sew my shoes to my feet, rather than walking on the grave of a Muslim.” (Ibn Majah from Uqba bin Aamir radi Allahu anhu)

These are the five principles of the sharia. By asking whether one can light a lantern or candle etc. on the grave of a person, it actually means on the

grave, then this is totally no allowed and it is even more so disallowed on the Mazaars of the Awliyah Allah as this is disrespect and it is to infringe on the rights of the deceased as it has been mentioned in Qunia etc. on the authority of Imam Tarjmaani,

ياثم بوطا القبور لان سقف القبر حق المية - حديث والتخذين
عليها المسجد والسرح

Where, it has been mentioned about making a Musjid on a grave (and the reality of the top of the grave being the property of the deceased)

Thus, if a Musjid is built beside the Mazaar, then there is no objection to this and if the intention is to attain blessings from the pious person then this is praiseworthy. It is in Majma Al Bihaar Al Anwaar as follows: "If anyone builds a Musjid near the Mazaar of a pious servant of Allah or he reads Namaaz in the Mazaar with this intention that he will attain assistance and blessings from the pious servant, or if one wishes to send the blessings of ones Ibaadaat to the soul of the personality and it is not done by facing the grave or in Namaaz to make intention for his respect, then there is nothing wrong with doing so. Did you not see that the Mazaar of Sayyidina Ismaeel (alaih salaam) is in Musjidul Haraam Shareef in the blessed Hateem and Namaaz there is greater than all the other Musjids of the world?"

This is on this basis, that the authenticity of the said narration is accepted
والا ففيه باذام ضعيف ان حسنه الترمذى فقد عرف رحمه الله تعالى
بالتساهل فيه
كما بيناه فى مدارج طبقات الحديث

If one lights the lamp or lantern etc. away from the Mazaar and there is no Musjid near it or no one is reciting Quran there or no one is sitting their for recitation etc. or that the grave is not in the middle of a road or it is not the Mazaar of any wali Allah or Aalim-e-Deen, in other words there is no real reason and benefit in doing so, then this wastage and as per the law stated, it is not allowed. (Note: It means if it is the Mazaar of a Wali or Aalim etc. then to do so is permissible). This will actually be regarded as impermissible even more if one has this ignorant theory that if one does not light any lantern there then there will be darkness in the grave of the deceased, since now with wastage; this is also having incorrect beliefs. Allah Forbid.

Now, if there is a Musjid there or there is recitation taking place or Zikrullah is taking place or if the grave is on a road and one wishes to let

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people notice the grave so that they may make dua and send esaale sawaab for that deceased, then it is permissible to place lanterns etc. there.

Also, if it is the Mazaar of a Wali Allah or Aalim-e-Deen, and one wishes to put lanterns etc. around it to show the excellence of the personality and so that those coming there may show respect, then this is definitely not objectionable and is totally allowed. Actually according to the other four principles it is Mustahab (desirable) and Mandoob (commendable). It has been stated in Majma Al Bihaar as follows: “If there is a Musjid etc. there and the intention is to make the area bright for the purpose of recitation etc. then there is no objection to placing lights etc. there.”

Imam Allama Arif Billah Sayyidi Abdul Ghani Nablisi (Qadasas Sirahul Qudsi) states as follows in Hadiqa Nadiyah: “The only time one is not allowed to place lights near graves, is when it is totally without benefit. However, if there is a Musjid near the grave or the grave is in the middle of a road or if someone is seated there or if it is the Mazaar of any Wali, Aalim or Muhaqqiq, whose soul is in his body like the way the sun is over the earth, then for his respect, to place lights near his grave and so that people are aware that this is the grave of a Wali Allah and so that they may attain blessings from him and so that they may ask dua to Allah via him, so that their dua may be accepted, then all this is permissible which has not been objected to at all. These actions are based on intention.”

This Faqeer (Aala Hazrat) has written a clear and detailed answer through the grace of Allah in the book طواع النور فى حكم السرج على القبور - Based on the very same principles; it is also permissible to put chaadars on the Mazaars of the Awliyah-e-Kiraam. The public does not even have much respect left for the graves of the general Muslims. I have seen this with my own eyes people running with their napaak shoes on the graves of Muslims, without conscious or feeling, without thinking that that is the blessed sand of the graves of their elders. They don't even realize that one day we too will rest in the same earth. I have seen on numerous occasions, people sitting on graves, gambling, talking vulgar words and laughing aloud. Some have even gone to such extremes that they have no fear, and even urinate on the graves of Muslims. فان الله وانا اليه راجعون

Thus, those who truly love the pious have used methods of giving respect to the graves of the Awliyah and to protect the sanctity of the Mazaars from the jaahils (ignorant) people who show disrespect. This is done so that the general public may recognize the Mazaars of the pious and understand that they are different from the graves of ordinary people and so that they may not show disrespect and cause their own destruction. It is close to the basis of this, that the Ulama have said that the Published copies of the Quran should be lined with gold trimmings so that people may differentiate it (from any other book) and the Ulama have said this to be good. It is also one of the reasons why the Kaaba Shareef is adorned so much. Now here, (at the Mazaars), there is always been the fear of people showing disrespect (like they show at other graves) and it is for this, that the chaadars and lights etc. are put, so that it may be recognized as the graves of the pious and they may have respect in their hearts. Now, those who object to all these things are either total jaahils (ignorant people) that they are unaware of the state of the things in this era, or they are those same disrespectful, deprived individuals whose hearts are empty from the love of the Awliyah Allah. والعياذ بالله رب العالمين

This Faqeer has discussed the laws in the above mentioned book from the verse “This is more suitable, that they should be recognised, so that they are not made uneasy.” والله الحمد

Sayyidi Allama Muhammad ibn Aabideen Shaami states in Tanqeehul Fatawa Al Haamidia from Kashfun Noor An Ashaabil Quboor by Imam Allama Sayyid Naablisi as follows: “But in time, we say that if the aim of doing this (placing lights etc) is to show the excellence of the Mazaars of the Awliyah in the eyes of the people, so that they may not show disrespect to those graves where they see cloths placed on it and Turbans kept on it, as this shows them it is the Mazaar of a Wali, and so that those ghaafil (careless) people who come there for Ziyaarat, attain sincerity and respect in their hearts which usually, are not soft hearts, then it must be noted that I have already stated that the souls present themselves at the Mazaars of the Awliyah-e-Kiraam, then to place chaadars on the Mazaars with this intention, is totally allowed and none should stop this, as the actions are based on intention. Every person will attain that, which he has intended.”

There is also no objection to the chaadars being green or red and silk is also allowed, as this is only not allowed to be worn (by men). However, the

musical instruments are not allowed and if there is already a chaadar there and there is no real need to put a new chaadar as the one there has not become old or torn etc. then to put a new one without any reason is not necessary. Instead of putting another one, one should take that money give it to some poor person and send the sawaab to the rooh of that Wali Allah, but if one puts the chaadar also with intention that the khudaam etc, who are there may use it for themselves as they are needy etc. then too, it is allowed. It is not allowed at all, to keep the food of Fateha on graves, just as it is not allowed to keep lights on the actual grave. If it is kept away (near) the Qabr, then it is fine. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 6th Jamadil Ulaa 1320 Hijri - What is the ruling of the Ulama-e-Deen and the learned Muftis in the following case: There some people who keep names such as, Taaju'deen, Muhiy'yud'deen, Nizaamud'deen, Ali Jaan, Nabi Jaan, Muhammad Jaan, Muhammad Nabi, Muhammad Yaseen, Muhammad Taaha, Ghafoorud'deen, Ghulam Ali, Ghulam Hussain, Ghulam Ghaus, Ghulam Jilani and Hidaayat Ali. Is it permissible to keep such names or not? (Translator's Note: The second part of this query deals with a specific situation and has been left out here due to detail. It can be viewed by the learned scholars in the original document)

The Answer: May their be countless Durood and salaams upon Muhammad Nabi, Ahmed Nabi, Nabi Ahmed (Sall Allaho Alaihi Wa Sallam). Such words (names) are only befitting the Holy Prophet (Sall Allaho Alaihi Wa Sallam). افضل صلوات الله و اجل تسليمات الله عليه و على اله

To keep such names for others is absolutely haraam, as it is accepted that there is no claim of Prophethood, and if this is the case (in other words the name is kept to claim Prophethood), then it is kufr. There is however the chance of claim and this is Haraam and treacherous and this view that in a proper noun the meaning in the first instance is not contemplated, is actually not a statement regarded as being sound in the Sharia and it is also not acceptable according to common law. There is no doubt in it not being referred to as stated in the first meaning but to just think that it is out of sight is also incorrect. It is evident from numerous Hadith Shareef that the

Prophet (Sall Allahu Alaihi Wa Sallam) changed numerous names which had some weakness in them. It is in Jaame Tirmizi from Ummul Mo'mineen Aisha Siddiqa (radi Allahu anha) as follows: "It was the blessed habit of the Prophet (Sall Allahu Alaihi Wa Sallam) that he would change names that were not good."

It is in Sunan Abu Dawood that the Prophet (Sall Allahu Alaihi Wa Sallam) changed the names Aasi, Azeez, Uvla, Shaitaan, Hikm, Araab, Hubaab and Shihaab. قال تركت اسنيدها للاختصار

He changed the name Ahram and kept the name Zar'a (Ref: Usaama bin Akhzari radi Allahu anhu).

He changed the name Aasiyah to Jameela (Ref: Muslim from Ibn Umar radi Allahu anhu).

He changed the name bira to Zainab and said, "Do not refer to your selves as good. Allah knows well, who is good amongst you." (Ref: Muslim from Zainab bint Abi Salma radi Allahu anhu).

(The meaning of Bira is 'pious woman'. The Prophet Sall Allahu Alaihi Wa Sallam said this was self praise and thus changed it. The Prophet (Sall Allahu Alaihi Wa Sallam) also said, "Verily you will be called on the day of Qiyaamat by your names and the names of your fathers, so keep good names." (Ref: Ahmed and Abu Dawood from Abu Dardah radi Allahu anhu)

If the first meaning has to be completely ignored, then what now will be said about a certain name being good and a certain name being bad? Also what will one say about instances where the names were changed, and why would certain names be regarded as self praise? In the name being prefixed all are the same? Now, after this, we need to ask those people (who object) if they would keep the names of their children shaitaan, mal'oon (cursed), evil raafdhi or Khuk (swine) etc? They will never allow this. Then it must be noted that it must be accepted that it directly refers to the original meaning of the word and can not mean something else. Now, how then can one (claim that the meaning is not same) and name your children and yourself Nabi? Is there any Muslim who thinks it is correct to keep his child's name Rasoolullah, Khatimun Nabiyeen or Sayyidul

Mursaleen? By no means will someone allow this. How then is it correct to name our children Muhammad Nabi, Ahmed Nabi, Nabi Ahmed etc? I have even heard some who don't even seem to fear Allah, keeping their child's name Nabiyullah. Wa La Howla Wa la Quwwata il'la bil'laahil Aliyil Azeem. Is it haraam just to use names that claim Nabuiwat and halaal to use names showing Nabuiwat? It is necessary for the Muslims to change such names.

It's not surprising when such disgraced people give weak excuses and even end up trying to keep names attributed to "Allah", Ya Rab'bal Aalameen etc. for according to their statements, in a Proper Noun the actual meaning of the name is not given any regard. والعياذ بالله رب العالمين

In the same way, to keep the name Nabi Jaan is also not ideal. If the word jaan has been added individually to show love, and this seems to be the general reason, then it is clear, that it is as if claiming Nabuiwat. And if one takes the meaning where the sentence structure is read in reverse, the it would be Jaan-e-Nabi (The Prophet's life – The Prophet's Beloved), this is a thousand times more self praise compared to the name Birah and the Prophet (Sall Allaho Alaihi Wa Sallam) did not like this name (birah), so why will this name be one that is liked. To change this name a little, will not be objectionable. By adding just one alphabet (The Haa) one will end up with a good meaning name which is allowed and one is saved from sin. One should change it to Muhammad Nabiyyah, Ahmed Nabiyyah, Nabbiyah Ahmed and Nabiyyah Jaan. One should rather call and write these names. Nabiyyah here means to be alert and conscious.

In the same way, it is not allowed to keep the names Yaasin and Taahaa since they are those names of Allah and of the Prophet (Sall Allaho Alaihi Wa Sallam), that their meanings are not known to us. It is not astonishing if they have such meaning, that they can not be used for any beside Allah and Rasoolullah. Thus, it is better not to keep these names as well, just as it is not permissible to chant that which one does not know the meaning of for perhaps it may mean something that entails shirk (polytheism) falsehood. Imam Abu Bakr Bin Arabi states as follows in the book Ahkamul Quraan: "Ash'hab has reported from Maalik that one should not keep the name Yaasin alone as it is the name of Allah and it is a rare kalaam. And this can be explained in this way, that, it is permissible for the servant to keep such names that are joined to the name of Allah, when this meaning is evident in

it such as Aalim and Qadir. And Maalik has forbidden such names from being kept because they are from those names where the meanings are unknown. Possibly they have such meanings that are only attributed to Allah. Thus, one should not give preference to that which one does not recognize, for there is danger in doing so.”

Allama Shahabud’een Ahmed Kufaji Hanafi Misri quotes this in Naseemur Riyaaaz the annotation of the book Shifa by Imam Qadi Iyaaaz and states that it is a great presentation and a foot note has been placed therein by this Faqeer:

قد كان ظهري لى المنع عنه لعين هذا المعنى لكن نظر الى انه
اسم النبى صلى الله تعالى عليه وسلم ولا ندرى معناه فلعل له
معنى لا يصح فى غيره صلى الله تعالى عليه وسلم الخ و العل هذا
اولى و ما تقدم لان كونه اسم النبى صلى الله تعالى عليه وسلم
اظهر و اشهر فلا يكون له معنى ينفرد به الرب عزوجل والله
تعالى اعلم

The same (as mentioned above) applies to the name Taahaa. والبيان
البيان و الدليل الدليل

By joining the pure name Muhammad to these names will not make it unobjectionable as the meanings of the names Yaasin and Taahaa will still be unknown. If these names are uniquely attributed to the Prophet (Sall Allahu Alaihi Wa Sallam), then it will be like keeping Muhammadur Rasoolullah if their name is Rasoolullah (Allah forbid). How can this ever be Halaal? و هذا كله ظاهر جدا

In the same way, it is not allowed to keep the name Ghafoorud’deen as it is strongly objectionable. The meaning of the word Ghafoor is “**Destroyer**” or “**One who Conceals**” Definitely Allah is Ghafooruz Zunoob, in other words He destroys our sins through his Mercy and he conceals and hides our sins. Now, Ghafoorud’deen would mean “**One who destroys the Deen**” Now, this is as bad as keeping the name shaitaan. To keep the names Deen Posh and Taqiya Kosh etc are like keeping names like the shias. Anyway, it is totally objectionable. Compared to this, the name Aasiyah was less unfavourable, but the Prophet (Sall Allahu Alaihi Wa Sallam) changed it. It must be noted that the name Aasiyah (sinful) relates to ones deeds and a name like Deen Posh (which actual means to hide the religion) is related to Aqaaid (belief) والعياذ بالله رب العالمين

It is in the Hadith: الفال موكل بالمنطق it was this which was the principle for changing of bad names. كما ارشد اليه غير ما حديث.

It has been mentioned by Ali Qaari in Mirkaat: “Names descend from the skies.” In other words, a name and its meaning have some unseen reflection. (O Allah protect us and have Mercy on us)

This Faqeer (Aala Hazrat) has with his own eyes seen the bad reaction of keeping bad names. Another huge catastrophe is that of those who keep such vile names and then as per tradition they add the pure name Muhammad to it and they have the same hope from others. If someone has to write their names without the blessed name, then they feel insulted and feel that they are only being addressed by half their names, whereas to add this blessed name to such vile names, is itself blasphemy and disrespectful. It must always be remembered that this blessed name is given to those who have received a portion of the treasures of faith. It is on the basis of all this that this Faqeer (Aala Hazrat) never regards as permissible the name Muhammad to be joined to names like Kalb Ali, Kalb Hassan, Kalb Hussain, Ghulam Ali, Ghulam Hassan, Ghulam Hussain Ghulam Jilani and names like these.

اللهم ارزقنا حسن الادب و نجنا من مورثات الغضب امين

(Translator’s Note: Aala Hazrat’s reason for saying this, shows his respect for the name Muhammad. If one takes heed to what has been said, then the reason why Aala Hazrat says it to be impermissible to join the name Muhammad to these other names, is because Kalb Ali with Muhammad would mean Muhammad the dog of Ali – Allah forbid, as the word Kalb means dog)

The names Nizaamud’deen, Muhiyud’deen, Taajud’deen and all those names where the meaning has to do with the excellence in the religion or excellence of the religion, such as Shamsud’deen, Noorud’deen’ Fakhrudd’deen, Shamsul Islam, Muhiyyul Islam and Badrul Islam etc. are all names that the Ulama have not approved of and they have regarded the keeping of these names to be Makrooh. The Great Learned personalities are however famously known by these names, but it must be made clear that they were not their names, but their titles which the people remembered them by and called them by because of the excellence they have received in Deen, such as Shamsul A’ima Halwa’I, Fakhruddul Islam Bazoodi, Taajush

Sharia and Sadrush Sharia. In the same way the names Muhiyyul Haq wa Deen Huzoor Pur Noor Sayyidina Ghausa Azam, Mueenul Haq wa Deen Hazrat Khaja Ghareeb Nawaaz waarithun Nabi, Sultanul Hind Hassan Sanjari, Shahabul Haq wa Deen Umar Suharwardi, Baha ul Haq wa Deen Naqshband, Qutbul Haq wa Deen Bakhtiyar Kaaki, Sheikhul Islam Faridul Haq wa Deen Mas'ood, Nizaamul Haq wa Deen Sultanul Awliyah Mahboob Ilahi, Muhammad Naseerul Haq wa Deen Chiragh Dehlvi Mahmood etc. رضى الله عليه و نفعنا ببركاتهم فى الدنيا و الدين

Huzoor Noorun Noor Sayyidina Ghaus-e-Azam (radi Allahu anhu) was blessed with the title Muhiy'yudeen was blessed to him by the excellence of Islam, which is evident in the authentic books such as Bahjatul Asraar Shareef and other books of the learned Ulama. Almighty Allah says, "Iaa Tazaku Anfusikum" Mention has also been made in Fusoole Alaami and Raddul Muhtar. لا يسميه بما لا تزكوا انفسهم. It is in Fusoole Allaami فيه تذكيره

It is in Raddul Muhtar: From this statement of the author بما فيه تذكيره it shows these names to be not allowed, such as Muhiyyudeen and Shamsuddeen. With the exception of this, there are lies in it and some of the Maaliki Ulama have written an entire book regarding the unlawfulness of such names and Qurtabi has explained this, in Sharah Asma'ul Husna and some have written some couplets regarding this, They have said in the couplets:

"I see the Deen that it is modest before Allah, for that which is shown off, Whereas for it, this is full of pride, and for it, this is a helper"

"There has been extensive research in Deen concerning the titles of its helpers. They are like mules (those who object to the reality), relaxed in issues of wrongdoings"

"It is sure that the harm to religion is with such people, in their self respect, and let it be known that in it is grave sin"

"It has been mentioned from Imam Nawawi that he did not like the word Muhiyyudeen to be used as a title (even) with his name. He used to say (in humility), whosoever calls me by that name, I will not forgive, and he went in the said way. Sheikh Sanaan mentioned almost the same in his work

“Tabbayanul Mahaarim” and in “Iqaama At Taamatul Kubra alal Mateen” and he also said, ‘It is evident that it is Tazkia and it (tazkia) has been forbidden from the Quran and it is from lies, and that has been mentioned which is like that which is mentioned for the teachers in Turkey, such as Affindi and Sultanum and the example of this was repeated. If they are just said and excluded from that which is permitted which are only like the Nouns, then they are excluded from tazkia. Thus, there answer is this, that our experience refutes that statement, because if those people are called by their Proper Noun names, then they will be angry with those who called them, so it proves that it is still regarded as tazkia....

(Translator’s Note: Here, Aala Hazrat quoted statements from Raddul Muhtar etc. which showed that one should not keep names that cause one to lie, in other words if someone’s name is Muhiyyudeen [One who revives the Religion] and he does not do this, then it is a lie. Thus, such names should not be kept by people like us. These are titles bestowed upon those worthy of them.)

The person asking the question asked about seventeen names and these ten names that I (Aala Hazrat) have mentioned are not allowed and unfavorable. There is no objection in the other seven names. To keep the names Ali Jaan and Muhammad Jaan is clearly permissible, as the actual names that are being kept are Ali and Muhammad and the word Jaan is being just added to show love.

It has been proven in the Hadith Shareef that it is mustahab (desirable) to keep names in conjunction with the names of the beloveds of Allah, such as the Ambia alaihimus salaam and the Awliyah as long as it is not from those names that are specially for them. (Translators note: We should rather keep names like Ghulam Muhiy’yud’deen etc)

The Holy Prophet (Sall Allahu Alaihi Wa Sallam) has stated in the Hadith Shareef: “Keep names on the names of the Ambia” (Bukhari)

تسمو باسماء الانبياء رواه البخارى فى الادب المفرد و ابوداود
النسائى عن ابى وهب الجثمى و له تتمه و البخارى فى التاريخ
بلفظ سموا عن عبدالله بن جراد رضى الله تعالى عنه ولا تتمه اخرى

The excellence of keeping the names Muhammad and Ahmad is evident from numerous Ahadith:

Hadith No.1 It is narrated in Bukhari and Muslim and Musnad Imam Ahmed, Jaame Tirmizi and Sunan Ibn Majah from Hazrat Anas (radi Allahu anhu)

Hadith No.2 It is narrated in Bukhari and Muslim and Ibn Majah from Hazrat Jaabir (radi Allahu anhu)

Hadith No.3 It is narrated in Mu'jim Kabeer Tibrani from Hazrat Abdullah ibn Abbas (radi Allahu anhu) that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "Keep names on my name, but do not keep my kunniyat (specially attributed title)."

Hadith No. 4 Ibn Asaakir, Haafiz Hussain bin Ahmad bin Abdullah bin Bukair narrate from Hazrat Abu Umaama (radi Allahu anhu) that the Prophet (Sall Allahu Alaihi Wa Sallam) said, "If a person has a son and he keeps his name Muhammad based on my love and to attain blessings from my name, then both him and his son will enter paradise."

Imam Khaatimul Huffaaz Jalalul Millat Wad Deen Suyuti states, "In relation to all those Ahadith that have been mentioned in this section, this is the best one and it is with a merit of being a hassan narration."

Hadith No. 5 Haafiz Abu Taahir and Haafiz ibn Bukair narrate on the authority of Hazrat Anas (radi Allahu anhu) that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "On the day of Qiyaamat, two people will be present before Almighty Allah. They command will be given for them to be entered into Jannat. They will ask, 'O Allah! What is that deed through which we are being entered into Jannat? We have done no such good deed to make us worthy of entering Jannat.' Almighty Allah will say, 'Go into Paradise, for I have promised that whosoever has the name Muhammad or Ahmad will not enter Hell.'"

In other words, this is only if one is a momin (a true believer) and in the terminology of the Quran, Hadith and Sahaba, this refers to a person who is Sunni Sahihul Aqida (one who holds the correct beliefs of Ahle Sunnat wa Jamaat). كما نص عليه الائمة فى التواضیح وغيره. As for the budmazhabs (mised sects), it has been mentioned in the Hadith Shareef that they are the '**Dogs of Hell**' and none of their deeds will be accepted. If

a budmazhab (mised sect follower) is killed though tyranny between Hajr-e-Aswad and Muqaam-e-Ibraahim and he remains patient and expects reward for this which he is aware is to happen to him, then too, Allah will not look at his condition and will enter him into Hell. These Ahadith have been narrated by Daarqutni, Ibn Majah, Baihaqi and Ibn Jauzi etc from Hazrat Abu Umaama and Hazrat Huzaiifa and Hazrat Anas (radi Allahu ta aala anhum) and this faqeer (Aala Hazrat) has quoted these narrations in numerous of his Fatawa. Now, it must be noted that there is no glad tidings in this Hadith (about those whose names are Muhammad and Ahmad), for kufaar like Muhammed bin Abdul Wahab Najdi or Sayid Ahmed Khan whose maslak is clearly kufr, since even the fragrance of Jannat is definitely haraam upon the kaafirs.

Hadith No. 6 Abu Nuaaim narrates in Huliyyatul Awliyah from Hazrat Nabeet bin Shurait (radi Allahu anhuma) that the Prophet (Sall Allahu Alaihi Wa Sallam) said, “Almighty Allah said to me, ‘I swear by my Honor and Grandeur that I will not cause him to be punished in hell, whose name is kept on your name.’”

Hadith No.7 Haafiz ibn Bukair narrates from Ameerul Momineen Moula Ali (radi Allahu anhu) a Hadith of the Prophet (Sall Allahu Alaihi Wa Sallam) (same as Hadith 9)

Hadith No. 8 Dailmi narrates in Musnadul Firdaus a narration from Maula Ali (same as Hadith 9)

Hadith No. 9 Ibn Adi and Abu Saeed Naqaash narrates with the merit of sahih in Mu’jiz that the Prophet (Sall Allahu Alaihi Wa Sallam) said, “If there is any person by the name Muhammad seated whilst eating around a eating cloth with others, then they will be exalted every day twice.”

In other words if there is someone by the name Muhammad in your house, then the mercy of Allah descends twice daily upon those living in that house. The words of the Hadith by Ibn Umar are:

مامن مائدة و ضعت فحضر علىها من اسمه احمد او محمد الا قدس الله
ذلك المنزل كل يوم مرتين

Hadith No. 10 Ibn Sa'ad narrates in his Tabqaat from Uthman Umri that the Prophet (Sall Allahu Alaihi Wa Sallam) said, "What loss is there to you if there is one, two or three Muhammads in your home?"

It is for this reason that this faqeer (Aala Hazrat) has kept the name Muhammad when doing the Aqiqa of all his three sons and nephews. Now, for the purpose of calling and for the purpose of respecting the name Muhammad, I have kept another name (calling name) for each one of them. Alhumdulillah, there are now five Muhammads in the house of this Faqeer and more than five have gone on their way,

جعلهم الله الناجرا و ذخرا و فرطا برحمته و بعزة اسم محمد
عنده امين

Hadith No. 11 It is in Tibrani Kabeer on the authority of Hazrat Abdullah bin Abbas (radi Allahu anhum) that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "One who has three sons born to him and does not keep even one of their names Muhammad, is a jaahil (ignorant person).

Hadith No. 12 Tibrani and Ibn Jauzi narrate on the authority of Ameerul Momineen Hazrat Ali-e-Murtuda (radi Allahu anhu) that the Prophet (Sall Allahu Alaihi Wa Sallam) said, "If any nation sits together for a advisory meeting and they have one amongst them with the name Muhammad, and yet they do not allow him to join this sitting, then there will be no Barkat in their sitting."

Hadith No.13 Haakim and Khateeb narrate in Taarikh and Dailmi narrates in Musnad from Ameerul Momineen Ali (radi Allahu anhu) that the Prophet (Sall Allahu Alaihi Wa Sallam) said, "When you keep your sons name Muhammad, then respect him and make place for him in a gathering and do not give him ties towards bad and do not wish bad upon him."

Hadith No.14 Baz'zaar reports in Musnad on the authority of Hazrat Abu Raafi' that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "If you keep your sons name Muhammad, then neither hit him nor deprive him."

Hadith No. 15 It is in the Fatawa of Imam Shamsud'deen Sakhawi that Abu Shuaib Khiraani narrated on the authority of Imam Ataa (Taabi'ee who is the distinguished Ustaad of Imamul A'ima Sayyidina Imam Azam Abu Hanifa radi Allahu anhum) as follows: "One who wishes for his

www.alahazratnetwork.org 53

pregnant wife to have a boy baby, he should place his hand on her stomach and say, 'In Kaana Zakara Faqad Samaytuhu Muhammadan' If it is a boy, then I have named him Muhammad. Insha Allah a boy will be born."

ذكره المنادى فى شرح التيسير تحت الحديث العاشر و الزرقانى
فى شرح المواهب

Imam Maalik rahmatullahi ta aala alaih states, "That house in which there is a person by the name Muhammad, attains more blessings."

It is better to just keep the names Muhammad or Ahmad. There is no need to join the word jaan etc. to it as the excellence that has been mentioned is based on the actual name.

To add the name Ghulam to the names of the pious servants of Allah, such as Ghulam Ali, Ghulam Hussain, Ghulam Ghaus, Ghulam Jilani etc. is totally permissible. This faqeer has written a detailed fatwa regarding these names wherein I have proved from Quran and Hadith that it is permissible to keep these names. I have also proven this from the statements of the elders of the Wahabis. Almighty Allah says, "Their servants will go around them like they are pearls that are kept protected.

The Prophet (Sall Allaho Alaihi Wa Sallam) said, "None of you should say that one that is in your control is your banda, since you are all the bandas (servants) of Allah. You may say that this is my ghulam."

This is the condition of the claims of shirk by the Wahabis that they even show this towards Allah and His Rasool (with their words) and they do not even spare the pious servants of Allah. (Allah forbid). The reality is that we are not actually allowed to attribute the word ghulam to Allah. In reality we can not say Allah's Ghulam since the real meaning of the word Ghulam is actually son. Thus in the word Ubaid in the Arabic language it referred to as Ghulam out of love and in Urdu it means son. Allama Arif billah Abdul Ghani Nablisi (qadasas sirahul qudsi) explains this whilst explaining the above mentioned Hadith in his book Hadiqa Nadiyah.

(و لكن ليقل غلامى و جاريتى و فتانى و فتانى) مراعاة جانب
الادب فى حق الله تعالى لانه يقال عبدالله و امة الله و لا يقال
غلام الله و جارية الله و لا فتى الله و لا فتاة الله ا ه باختصار

Subhaanallah! This is an amazing kind of shirk (that these people claim), for that which can not be attributed to Allah is regarded as shirk if used for

www.alahazratnetwork.org 54

someone else. Actually in this corrupt (so-called) religion of these Wahabis, the moment the names of the Awliyah Allah are mentioned, they begin to shout shirk. Have we not seen how their leader wrote in his book Tafwiyatul Imaan (Taqwiyatul Imaan which Aala Hazrat called Tafwiyatul Imaan)? He wrote that to erect a canopy (covering) over a grave or to fan with peacock feathers is from those actions that Almighty Allah has kept unique for His Respect. In other words, his Ma'bood (one who is worshipped) says that a canopy must be only placed over his grave and only fanning by peacock feathers is allowed in his grave. Wa Laa Howla Wa Laa Quwwata il'la bil'laahil Aliyil Azeem. Finally, have we not heard of their new leader Sidiq Hasan Khan Qunooji Bhopali Anjahani who in his booklet Kalimatul Haq refers to himself as the servant of the sun.

Such is the Shaan of Allah (that he shows the truth)! According to them, to keep the names Ghulam Muhammad, Ghulam Ali, Ghulam Hassan and Ghulam Ghaus is (ma'azallah) shirk and haraam, yet to refer to themselves as Ghulam Aftaab (Servant of the Sun) according to them is permissible and without objection, whereas if you translate it from Persian or into Arabic it will be the same name as the murshrikeen used to keep, i.e. Abdush Shams (Servant of the Sun) and like the the hindus who use the name Suraj Daas. The languages are different, but the actual meaning is the same. Wa Laa Howla Wa Laa Quwwata il'la bil'laahil Aliyil Azeem

Translator's Note: After answering the issue as mentioned in the beginning of this question (Ulama may peruse original document for detailed discussion), Aala Hazrat proved that it is also permissible to keep the names Abdun Nabi etc. In doing so he presented a splendid answer which is being quoted below:

It is evident from the Hadith Shareef that we should not call our servants our 'Abd' (slaves) as this is for Allah alone to refer to his servants as his banda (Abd). However, nowhere has it been mentioned that the Ghulam (servant) should not refer himself as the Abd of his master or that someone else should not refer to him as the slave of his master. The Quran has clearly referred to servants as Abd. The Holy Prophet (Sall Allaho Alaihi Wa Sallam) said, "There is no Zakaat upon a Muslim for his Abd and for his horse."

(Translator's Note: Aala Hazrat then quoted Ahadith which prove that one may refer to himself as the abd [slave] of the Prophet (Sall Allahu Alaihi Wa Sallam)

Imam Abu Huzafa Ishaq bin Bashir says in Futuhush Shaam and Hassan bin Bushraan reports in his Fawaaid from Ibn Shihaab Zahri etc. and other great Imams amongst the Taabi'een that Ameerul Momineen Umar-e-Farouk-e-Azam (radi Allahu anhu) once openly announced the following in one of his khutbas whilst standing on the Mimbar: "I was in the blessed court of the Holy Prophet (Sall Allahu Alaihi Wa Sallam), so I was the Abd (slave) of the Prophet (Sall Allahu Alaihi Wa Sallam) and his Khaadim (servant)."

Ibn Bishraan has mentioned in Imaali, Abu Ahmed Dahqaan mentioned in the part 'Hadithi' and ibn Asaakir in Taarikh Damishq from Afdalut Taabi'een Sayyidina Saeed bin Al Mussayab bin Hazn (radi Allahu anhum) that Ameerul Momineen became the Khalifa and he stood on the blessed Mimbar or the Prophet (Sall Allahu Alaihi Wa Sallam) and gave a Khutba in which he said after Praise and Durood, "O People! You have found me to be firm and hard and the reason for this is because I used to be in the court of the Prophet (Sall Allahu Alaihi Wa Sallam) and I am the abd, banda and Khadim of the Prophet (Sall Allahu Alaihi Wa Sallam)."

Now it is clear that the Hadith in Muslim that is presented by these people is not related to this issue. The Wahabis should also note that this blessed Hadith where the Khalifatul Muslimeen Hazrat Umar-e-Farouk-e-Azam (radi Allahu anhu) referred to himself self as Abdun Nabi, Abdur Rasool and Abdul Mustafa was mentioned by him in his Khutba in a huge gathering of Sahaba-e-Kiraam whilst he was standing on the blessed Mimbar. All of them heard what he said and accepted it (without objection).

Shah Waliullah Sahib Dehlvi also quoted this Hadith on the authority of Hazrat Abu Huzaira in Izaalatul Khifaa and from the book Ar Riyad An Nadara fi Manaqibil Ashra and he regarded this Hadith as being authentic and thus quoted it.

Now (according to them) will this mean that Ameerul Momineen is a mushrik (Allah forbid)? According to your (Wahabis) corrupt sect you will

have to say this, but beware about what you say as the daaman of Shah Waliullah is under the same ruling. Wa Laa Howla Wa Laa Quw'wata il'la bil'laahil Aliyil Azeem..... والله تعالى اعلم
كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling of the learned Ulama in this case: What time is the zawaal in summer and what time is it in winter? Now if someone reads Zohr Salaah before twelve noon in summer, when according to calculations zawaal is before twelve noon, will the Namaaz be legitimate or not? Please present an answer that is well supported.

The Answer: According to the sundial, it is such that zawaal is always at twelve noon. Neither does it show it to be before or after. As per the normal watch, then with the exception of four in our town namely the 16th of April, the 15th of June, 1st of September and 25th of December, zawaal is never exactly at twelve noon on any other day. The movement of the watch is the same every day and the movement of the sun is never the same. The elevation from the 4th of July going towards the decline on the 3rd of January is very fast that every day that it passes the curve more than the day before and this daily increase is also not consistent, actually the next increase is more than that which has passed, until that time, that if it reaches a decline at extreme velocity (quickness). Then from the decline position on the 4th of January up to the elevation on the 3rd of July, the movement becomes slow that daily, it passes the bow slower than the day before and the daily slow motion also does not remain the same, but the coming day is slower than the day before until it reaches its height and becomes extremely delayed (slow) and then the same rotation starts again. Now, in India, since we generally go in accordance with the railway time, even these four are not consistent. Hence in the eastern parts of the country, depending on the difference of the longitudes, all the adjustments will be defective (inconclusive) and in the western parts of the country all the adjustments will be increased, for e.g. if the actual time of the city is given, then verily these four will be equal, where the zawaal according to the sundial and the pocket watch, will be exactly at twelve noon and if the time is calculated through the railway time, then according to the difference of longitudes all the adjustments will increase by 12 minutes and 12 seconds. Now from the four days, the two that were exactly at twelve noon for zawaal will now show zawaal to be at 12 hundred hours 12 minutes and 12

seconds (in other words 12 minutes and 12 seconds after 12 noon). And this is based on our theory.

For the sake of benefit an astronomical table showing the actual Nisfun Nihaar (when the sun is at its peak) and the beginning of Zuhr in Bareilly is being presented with the seconds, which will be sufficient for a very long period of time. This is based on railway time as it is the time that is common today. If 12 minutes is deducted from the times given, then one will get the actual times in Bareilly (Shareef).

Even the times for the beginning of Zohr Salaah can be derived from this chart by either adding or subtracting to or from the time and this will serve as an excellent table for years to come. One can not just rely on the 12 noon as per ones watch (in the case of defining zawaal) If one reads his zohr after Nisfun Nihaar then the Namaaz is done and if one read before this, then the Namaaz is not valid. On the 28th November according to railway time in Bareilly, nishfun nihaar is at exactly 12 noon and then after this is will be later until on the 1st of February it will be at 12:24 and then it will become less until on the 8th of May it will be at 12:08. It will then gradually become earlier again until on the 7th of October it will be at 12 noon exactly and then slowly it will now become even earlier than 12 noon until on the 24 October, it will end at around 11:56 and then it will start to become later again until on the 28th of November zawaal will be at exactly 12 noon again. Thus from the 7th October until the 28th of November if any person read his Namaaz at exactly 12 noon or just before, but after nishfun nihaar, his Namaaz is valid. However the Namaaz that was read before the proper time commenced is invalid. (The Actual table from the original document is excluded. Ulama can view detail in original)

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 11 Jamadil Ulaa 1337 Hijri

What is the ruling of the learned Ulama about what is Imaan-e-Kaamil (Completely strong Imaan) and how can one make ones Imaan Kaamil?

The Answer: To accept every word of the Prophet Sall Allahu Alaihi Wa Sallam as true and correct and to accept the righteousness of the Prophet Sall Allahu Alaihi Wa Sallam with sincerity is Imaan. One who fulfills this is called a Muslim, for as long as any of his words or actions or condition does not show rejection to Allah and His Rasool Sall Allahu Alaihi Wa Sallam or he does not falsify what they mention or he does not make blasphemy. Now, one who shows his connection to Allah and His Rasool Sall Allahu Alaihi Wa Sallam more than to anyone else and one who loves those who love Allah and His Rasool Sall Allahu Alaihi Wa Sallam, even if they are his personal enemies and he hates and shuns those who speak against Allah and His Rasool Sall Allahu Alaihi Wa Sallam even if they are his close and loved ones and if he gives what ever he gives for the sake of Allah and if he holds back anything, he does so for Allah, then he has Kaamil Imaan and this is as mentioned by the Holy Prophet Sall Allahu Alaihi Wa Sallam who said, **“One who loves for Allah and hates for Allah and gives for the sake of Allah and holds back for the sake of Allah has complete Imaan.”**

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: Jamadil Ulaa 1337

It must be brought to the notice of the Ulama-e-Ahle Sunnat that today Sunnis sit in the companionship of corrupt sects and have become misled in faith due to a few laws. Even though there are numerous laws explained in your books, this servant has not seen anything relating to this that is why I felt it necessary to query this issue. There issue is that there is a person who refers to Hazrat Ameer Muawiyah (radi Allahu anhu) as a miserly person. He says that Ameer Muawiyah (radi Allahu anhu) fought with Hazrat Ali and the family of the Prophet Sall Allahu Alaihi Wa Sallam (Hazrat Imam Hassan radi Allahu anhu) and stole the khilaafat from them and he martyred thousands of Sahaba-e-Kiraam to achieve this. Bakr says that he is aware of Ameer Mu'wiyah's (radi Allahu anhu) wrongs and he can not be called and Ameer.

Amar on the other hand says that Hazrat Ameer Muawiyah (radi Allahu anhu) is from amongst the senior Sahaba-e-Kiraam and the slightest disrespect to him is to be misled. There is another person, who calls himself

a Sunni and also claims to have some knowledge (The truth is that he is actually completely ignorant) says that all the Sahaba especially Hazrat Abu Bakr Siddique (radi Allahu anhu), Hazrat Umar Farouk-e-Azam (radi Allahu anhu) and Hazrat Usman Zul Noorain (radi Allahu anhu) (Allah forbid) were greedy and miserly, as they kept the blessed bier of the Prophet Sall Allahu Alaihi Wa Sallam and then were each engrossed in their own schemes of how to become Khalifa.

Now what is the ruling about these four persons? Can we regard them as being Ahle Sunnat Wa Jamaat or not? What is your (Aala Hazrat's) view on this issue? Please present a simple yet well supported answer.

The Answer: Almighty Allah described the Sahaba of the Prophet Sall Allahu Alaihi Wa Sallam in two categories in Surah Hadeed. One group are those who accepted Islam before the Victory at Makkah and who spent their wealth in the way of Allah sincerely and made Jihad. The second group refers to those who accepted Islam after the Victory at Makkah. Almighty Allah mentioned in the Holy Quran about both the groups "Wa Kul'la Wa'd Allahu Husna" wherein Almighty Allah promised both groups good things. In giving this promise of giving them good things, Almighty Allah says in the Holy Quran, "They have been kept a great distance away from Hell. They will not even hear its sound. These are the ones who will live forever in the way they desire. The most difficulty moments of Qiyaaamat will not cause them any sadness, The Angels will welcome them by saying, This is that day of yours which you have been promised."

Almighty Allah has mentioned the above as the status and excellence of every Sahabi. Now, if anyone says ill about any sahabi, then he wants to belie the word of Allah. To present false and incorrect narrations regarding some of their dealings against that, which Allah has mentioned, is not the manner of the Muslims. In the same verse, Almighty Allah even answered such people by promising good to both the groups of the Sahaba-e-Kiraam (radi Allahu ta'ala anhum). Almighty Allah also says, "Allah knows well, whatever you are to do." (In other words Allah knows everything and has still promised both groups his Mercy and blessings). Now after this, whoever barks or says such things, will go to jahanum (Hell). Allama Shahabud'deen Khufaji states as follows in Naseemur Riyaz, the commentary of Shifa Shareef by Qaadi Iyaaz as follow: "One who slanders

Hazrat Ameer Muawiyah (radi Allahu anhu) is a dog from amongst the dogs of Hell.”

Amongst the four statements (presented in the question), only Amar’s statement is correct and true. Zaid and Bakr are liars and the fourth person is the worst and most evil of all three as he is a raafdhi (Shia). To Appoint an Imam (Caliph) is the most difficult task of all difficult tasks. All the issues of the world and religion have connection to this and if the blessed Janaazah of the Prophet Sall Allahu Alaihi Wa Sallam had to be kept even until Qiyaamat, then there would have been still no possibility of any harm at all. The blessed bodies of the Ambia (alaihimus salaatu was salaam) never become disintegrated. Hazrat Sulaiman (alaihis salaam) remained standing for one entire year after passing away. He was only laid to rest in his blessed grave after one year.

Now, the Blessed Janaazah of the Prophet Sall Allahu Alaihi Wa Sallam was in the room of Ummul Mo’mineen Siddiqah (radi Allahu anha), and it is the same place where the blessed Rauza-e-Anwar is today. The Janaazah Mubaarak was not going to be taken out of that Hujrah. It was a small Hujrah and all the Sahaba wished to be part of the Janaazah Salaah, so small groups of Sahaba-e-Kiraam came in one after the other. They partook in the Janaazah Salaah and went out (and the next group came in). This chain of actions ended on the third day.

Now, if this practice of the Sahaba had to take three years, then the blessed janaaza would have been kept their for three years and this, would have been the reason for the (so-called) delay in placing the Prophet Sall Allahu Alaihi Wa Sallam to rest in his blessed Rauza Mubaarak. If according to this Iblees (cursed person) this was being greedy (power hungry), then the strongest objection would be on Ummul Mo’mineen Siddiqah and Hazrat Ali (Radi Allahu anhum). They were not greedy. The issue of burial and kaffan is the right of the family members. Why did Hazrat Ali and Ummul Mo’mineen then just wait and do nothing for three days? They are the ones who did this for the Prophet Sall Allahu Alaihi Wa Sallam. They should have done the last rites as well. (All this is being just given as example to allow the ignorant to understand that these could be the objections that they would have to make on great people like Hazrat Ali and Ummul Mo’mineen). Now, it can be established that the objections by these people are baseless and cursed and the issue of not resting the Prophet Sall Allahu Alaihi Wa Sallam in his blessed grave quickly had religious benefits in it

and Hazrat Ali (radi Allahu anhu) and all the Sahaba-e-Kiraam were pleased with this.

These evil cursed people (May Allah destroy them) are not just hurting the Sahaba, but they are causing discomfort to the Prophet Sall Allahu Alaihi Wa Sallam. It has been mentioned in the Hadith Shareef as follows: “Anyone who has hurt my sahaba has hurt me and one who has hurt me has caused Allah displeasure and one who displeases Allah, it is soon that Allah will seize him.” والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 1st Shabaanul Mu’azzam 1337 Hijri

What do the learned Ulama say in the following case; there are numerous places in the city where Jummah Salaah takes place. Now, will every such Musjid be known as a Jaame Musjid and does each one have the same status as a Jaame Musjid or is it only the one Musjid that is close to the tower and is well known as the Jaame Musjid? Is there anything wrong with Jummah taking place at numerous Musjids? What is the minimum amount of people required for Jummah to be correct? In which Musjid in the city is it more sawaab to read Jummah?

The Answer: It is only that one Musjid that is the Jaame Musjid. There is no objection to Jummah being held in numerous places in the city. The minimum requirement for Jummah is the three people excluding the Imam, but the Imam for Jummah and Eids can not be just anyone. The person appointed for this is the Sultan-e-Islam, or his deputy or one appointed by him and if none of them are available then that person must lead the Jummah, who people regard as the Imam for Jummah. Most sawaab for Jummah is in the Jaame Musjid unless the Imam of another Musjid is more knowledgeable and more exalted. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 15 Shabaanul Mu’azzam 1337 Hijri

What is the verdict of the learned Ulama regarding how many types of Talaaq there are? Also please explain each type. What are those words that

www.alahazratnetwork.org 62

cause Talaq to be applied and how can one take the female into ones Nikah again?

The Answer: Talaq is three types, Raj'i, Baa'in and Mughalaza.

Raj'i is that where the female does not come out of the Nikah in the said condition. If the husband takes her back within the Iddat, then she is still his wife. However, if the Iddat period passes and he does not take her back, then after the Iddat she is out of his Nikah, but if she agrees, then he may make Nikah to her again.

Baa'in is that where the female is out of the Nikah immediately. If she agrees, then he may make Nikah to her again, either in Iddat or out of Iddat.

Mughalaza is when the female is immediately out of the Nikah and they can never marry again unless there is Halaala. This occurs when a female is given three talaqs. This applies whether all three were given at once or each one was given years apart.

Whether one gives Raj'i or Baa'in or some Raj'i or some Baa'in there are scores of words that mean talaq. Some cause Ra'ji to occur, some Baa'in and some Mughalaza. In my Fatawa, I have listed approximately 200 such words of Talaq which cause Raj'i or Baa'in to apply. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 27 Shabaanul Mu'azzam 1337 Hijri

What is the ruling of the learned Ulama and the viceroys of the Prophets in the following cases?

How much does one need to have to qualify as Saahib-e-Nisaab?

Is the ruling for coins and notes the same, since notes are just paper and different from gold and silver?

What is the amount to be paid for every hundred?

What if a person does not have any money, but has gold and silver jewels that are for daily use and they add up to the nisaab value, does he need to give zakaat on this as well?

If one gives zakaat for an amount which he has in the first year and the remainder after paying zakaat stays the same for the second year, will one have to give zakaat on that money again the following year even though it was already given on the same amount the year before?

What is the amount of wheat to be given for fitrah according to weight in Bareilly?

Is it waajib to give Fitrah for every person, whether he kept fast or not, or whether he or she has reached puberty or not?

How much of food per orphan should a person who is too weak to fast give. Should it be given to only those orphans who were fasting or any orphan?

The Answer:

1. According to the western currency, the nisaab is 56 rupees. (This was in 1337 Hijri)

2. The same law can not apply to notes and to coins. The coins are silver and thus have a self value and money is just paper and is technically given value. However, for as long as it is in circulation, it will be regarded as money as that too is only given a value.

3. Zakaat is one fortieth portion of nisaab. According to the mazhab of the Sahibain, the calculation of nisaab is very simple and beneficial for the needy. In other words one needs to pay out two and a half rupees for every hundred rupees.

4. Definitely

5. Even if it is kept for ten years, zakaat is waajib every year until the amount does not become less than the nisaab.

If he did not pay in the first year, then the he is in debt and that amount must be removed from the amount the following year and then the zakaat should be calculated. In the third year, the zakaat of the other two years is

owed by him and then this too must be removed from the amount and then zakaat calculated. In the same way the zakaat for all the other years should be calculated in the same manner and only the amount remaining will be zakaatable or of the remaining amount plus other zakaatable things are added to make Nisaab, then he must give zakaat if not, there will be no zakaat.

6. Equal to 25 indian cents being just over one and three quarter seer (weight).

7. Ones own sadqa and that of one's na baaligh children (who have not reached puberty) is waajib, even if they are only one day old. Now, if both the children that are already baaligh (reached puberty) and the wife are Saahib-e-Nisaab, then they need to pay their own sadqa (Fitra). If they do not have the amount, then there is no Sadqa (Fitra) on any of them. In other words they are not responsible for this payment of fitra. However, one may pay their fitrah on their behalf after attaining their permission to do so and this will be a good favour.

8. The same as mentioned above, 25 Indian cents worth in other words just over one and three quarter seer of grain should be given per fast. (**Note:** The amounts in the Answer were for the period when the question was asked)

كتبه عبده المذنب احمد رضا عفى عنه
بمحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 10th Ramadaanul Mubaarak 1337 Hijri

What is the ruling of the learned Ulama regarding whether it is permissible to discuss worldly issues in the Musjid as is the common practice amongst people today? Actually some people are so vocal that they even laugh aloud in the Musjid and talk of personal things. They have no respect for the Musjids and do not realize that they are in the House of Allah. What is the ruling regarding such people? Please explain from the Hadith, the harm in having such discussions in the Musjid and the blessings of remaining silent?

The Answer: To speak of worldly things in the Musjid destroys ones good deeds like fire burns wood. To laugh in the Musjid causes ones grave to become dark after death. The Ahadith relating to this have been explained time and over again, but who listens? I pray that Allah grants the people guidance. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 2nd Shawwal 1337 Hijri

What is the ruling of the learned Ulama in the following case: Is it permissible or not to use impermissible money, attained through usury (interest), alcohol and bribery etc for permissible actions such as in the building of a Musjid or Madrasa, or for building a well, or for Niyaaaz or Fateha etc? What is the ruling if one gives all that money away as khairaat and expects reward for it in return? And Can this money be made legal by any Islamic method or not? If there is, then what is this method?

The Answer: To use Haraam money for anything is not permissible, be it for a worthy cause or for anything else. The only thing he can do is to return it to the person from who he took the money or he should give it to the poor. With the exception of this, there is no other method that will make it legal. To give it as khairaat and expect reward for it just as one has intention with pure wealth, is haraam and the Fuqaha (Jurists) have written this to be kufr. However, the Shariat has stipulated that if one does not find the person whom he took the money from, then he should distribute it amongst the poor.

Now, if this is what he intends to do, then he can be hopeful of some reward. As for the issue of building of Musjid and Madrasa, then the actual money is not really used in it, but materials are bought. If in purchasing, he did not do this, that he showed something haraam and asked for things in return for it and it was given to him and in payment he gave the illegitimate money, then the actual thing will not be regarded as impure. In this way, the food of fateha and Urs etc. is also regarded as permissible and generally, this is the common practice. To read Namaaz in that Musjid and attain knowledge in that Madrasa is permissible. Now, as for the water of the well, it will be totally permissible under all circumstances, even though

if that rare situation is present. If there has been any discrepancy, then it is in the bricks and the mud (cement) and not in the water. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 11 Shawwal 1337 Hijri

What is the ruling of the Learned people of Shariah concerning whether it is permissible to work as a collector of grain taxes (or toll taxes on goods being transported from one area to the next etc) or not? Is it permissible for the Ruler of the time to take this money or not? This money is collected from the public and then used for them like for putting street lights etc and is it permissible to steal that which is attained from this tax?

The Answer: To do this duty of collection with pure intention is permissible just as it is proven from Durr etc. **نص عليه فى الدر وغيره من الاسفار**

Now to steal someone's money, in other words to take from it without their permission is stealing and this is not allowed under any circumstances. It is an offence for a staff doing a halaal job, to act contrary to what he has been contracted to do as this is insubordination and this type of insubordination is haraam. Now, to do a certain criminal action and to be disgraced for this is also criminal according to the Shariat **كما استفيد من القرآن المجيد و الحديث**

As for whether the Ruler of the time has the right to collect this tax, then it must be noted that neither is it an issue of the rulers and nor is the one who has asked the question a ruler. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 22 Shawaal 1337 Hijri

What is the verdict regarding the Ulama-e-Deen about how many categories of Kaafirs there are and who are they? The companionship (friendship) of which kind of kufaar is most detrimental?

www.alahazratnetwork.org 67

The Answer: May Allah protect us from all kufr (infidelity) and kufaar (infidels). There are two types of Kaafir, one is “Asli” (A proper Kaafir) and the other is a “murtad”.

Asli: refers to a kaafir who has been a kaafir from the beginning and one who rejects the kalma of Islam and this is of two types as well (a) Mujaahir (b) Munafiq. A Mujaahir is one who openly rejects the Kalma and a Munafiq (Hypocrite) is one who reads the kalma with face value and rejects it in his heart. This type is the lowest and worst type and in the lowest level in the hereafter. **“Verily the Munafiqs (hypocrites) are in the lowest level in hell.”**

The Mujaahir Kaafir is four types. The first is the Atheist, who rejects the existence of Allah, The second is the Mushrik (polytheist), who accepts others except Allah as Gods and believes their existence to be necessary, like the idol worshippers of India, that they do not believe their existence necessary, but they do worship their idols. There are also the Arya, who believe that the soul is not a creation even though they do not worship it. Both are Mushriks and to think of the Aryas’ as Muwahid (those who believe in one Allah) is an absolutely baseless belief. The third type are the Majoosis who worship fire and the fourth type are the Kitaabi (people of the book), namely jews and Christians, if they are not like atheists. The zabiha (animals slaughtered) by the first three types is haraam and to marry their women is baatil (baseless). Nikah to the women of the fourth type will be valid, even though it is sinful and haraam to do so. (**Note:** This is only if they are truly ahle kitaab)

“Murtad” A Kaafir Murtad is that person who after accepting the Kalma turns back to kufr. There are two types here as well. Mujaahir and Munafiq. A Murtad Mujaahir is that person who was initially a Muslim and then openly announces he is leaving Islam and rejects the kalma of Islam, whether he becomes, a Mushrik, Majoosi, Atheist or Kitaabi (or anything else). A Murtad Munafiq is that person who still reads the Kalma of Islam and calls himself a Muslim and then disrespects Allah and His Rasool Sall Allahu Alaihi Wa Sallam or any other Prophet of Allah or he rejects any other necessity of Deen, just like the wahabis, Raafdhis, qadianis, Naichris, Chakralwis and those false (so-called) mystics of today, who mock the Shariat. In the law of this world, the worst type is the murtad. Jiziya (tax)

can not be taken from him. His Nikah can not take place to a Muslim, kaafir, murtad like himself, or to any other rejector of religion in other words to any human or even animal (just showing the cursed condition of such a person). No matter who he makes nikah to it will not be regarded as nikah but as zinnah, be this for a murtad male or female.

Amongst the murtads, the worst type is the Murtad Munafiq. This is such a person, that friendship with him is more harmful than the friendship of a thousand other kaafirs because he is behaving like a Muslim yet he is preaching kufr. Especially these wahabis and deobandis who call themselves the real Ahle Sunnat wa Jamaat, They claim to be Chishti and Naqshabandi.

They read Namaaz and keep Roza like we do. They study and read our text books and then make blasphemy in the court of Allah and His Rasool Sall Allaho Alaihi Wa Sallam. This is the worst type of poison that can cause your destruction, Remain content in your heart and O Muslims beware! Protect your Deen and your world from them. Allah is the Best of Protectors and He is the Most Merciful of all those who show Mercy.” واللہ تعالیٰ اعلم

کتبہ عبده المذنب احمد رضا عفی عنہ
بحمد ن المصطفی صلی اللہ تعالیٰ علیہ وسلم

Question: 5th Ziqaadah 1337 Hijri

What do the Ulama-e-Ahle Sunnat Wa Jamaat say about the issue of begging in the Musjid for ones self or for someone else, and the issue of whether it is permissible to give such persons for themselves or for others?

The Answer: These people, who do so in the Musjid, are very rowdy and this causes interference in the Namaaz of the Namaazis. Some of them pass over the shoulders of people walking between saffs and this is absolutely Haraam, whether it is for ones self or for someone else. It has been mentioned as follows in the Hadith: “Protect the Musjid from children, insane people and loud noises.” (Narrated by Ibn Majah from Waathila bin Asqa’ and Abdur Razaaq from Mu’aaz ibn Jabal radi Allahu anhum)

It also in the Hadith as follows: “One who goes over the necks of the people on a Friday has built a bridge for himself to Jahanum.” (Narrated by Ahmed, Tirmizi and Ibn Majah from Mu’aaz bin Anas radi Allahu anhu)

If the above is not the case, then still it is not allowed to beg for ones self inside the Masjid. Rasoolullah Sall Allaho Alaihi Wa Sallam said, “If one hears someone asking about something he lost in the Masjid, then tell him, ‘May Allah not allow you to find it’, since Musjids were not built for this reason.” (Narrated by Ahmed, Muslim and Ibn Majah from Hazrat Abu Hurairah radi Allahu anhu)

Now, when just to ask such a thing as mentioned above is disallowed, then what can be said about begging and how can it be regarded as permissible, especially for those who do so without need, as they have made it their job to beg, which is itself Haraam.

Thus, the illustrious Imams of the religion have mentioned that when a person gives such a beggar one cent, he should give another seventy cents in the path of Allah as it is the kafaara (compensation) for the sin of the one cent that he gave.

Now, to ask for assistance for someone that is really in need or to do fundraising for religious purposes in the Masjid without making unnecessary noise and without climbing over the necks of people and without interfering with the Namaaz of the Namaazis is totally permissible without doubt and is also proven from Sunnah. To give a needy person something without him asking for it is also a very good deed and is proven from Hazrat Maula Ali (Karamallahu ta aala wajhu) والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 2nd Muharramul Haraam 1338

What is the ruling of the Ulama-e-Deen in the case: There are those who today, give khairaat (alms to the needy) in a manner where they throw pieces of bread, bread loafs and biscuits from rooftops and upper levels of their houses, which scores people on the ground (needy) try to get. In doing so, they tend to climb on top of one another, sometimes even causing

themselves and others to be injured. This bread falls to the ground and is even tramped by the feet of those trying to attain it. Actually sometimes, the bread (etc) even falls into the external impure drains and this leads to great disrespect of food. The same is done with sharbat (sweet drinks) etc. These are put into clay cups and passed to people from a height and the situation is such that even half of the cup does not end up with any sharbat and the sweet milk etc. falls to the ground. Is such khairaat and langar etc. permissible or not? Will this be regarded as sinful due to disrespect of food?

The Answer: This is not khairaat. This is mischievous and immoral behavior. Those who do this in reality do not have intention to give alms to please Allah, but they are actually being boastful and that is haraam. To disrespect the food and waste the sharbat are both sinful acts. والله تعالى
اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 26 Muharramul Haraam 1338

What is the ruling of the Ulama-e-Haq in the following cases?

1. There are guava trees, other bela trees and rose bushes on the Musjid property and due to construction of rooms and bath rooms, these trees need to be removed. Now, can a person dig these threes out and plant them in his own yard?
2. During winter, grass mats and straw mats etc are used in the Musjid (for comfort to worshippers). After winter months have ended, these are thrown away. Can this be taken away by someone who wants to use it to warm water etc?
3. What is the ruling about that section adjacent to the Musjid, from where the Azaan is called and where people usually make wudhu. Do the rules of the Musjid apply to this section as well? Is it disallowed to talk in this area as well as it is in the Musjid?

The Answer:

1. these trees have a necessary connection to the Musjid and must be bought for cash and then planted in your own yard.

2. These grass mats and straw mats etc. that are being thrown away can be used by others.

3. The area near the Musjid (the wudhu area etc) is regarded in the ruling of the Musjid in some cases only. The Mu'takif (one who is in I'tekaaf) can go into these areas even without any specific reason. One is not allowed to spit, blow the nose or put any impurity in this area. To laugh aloud and speak obscenely is also not allowed there. Now, there are certain rules that are not the same as the Musjid. One can give Azaan there. One can sit and make wudhu there. As long as there is place in the Musjid, to read Namaaz there will not give the sawaab of Fardh Namaaz inside the Musjid. One can talk of worldly things there, softly and as long as they are not harmful and do not interfere with the worship of the Namaazis. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 10 Rabi ul Awwal Shareef 1338

What is the ruling of the Ulama-e-Deen in the following issue? There are some people that after burying the deceased, they appoint a Haafiz to recite Quran beside the grave for three days or sometimes more or less than this and this Haafiz takes a set fee (payment) for doing this. Now, is it allowed to give such fees and get someone to read beside the grave or not?

The Answer: It is Haraam to take and pay a fee for recitation of the Holy Quran and to demand for haraam is to be worthy of punishment and this does not give any sawaab. The best way to fulfill this is to employ the Haafiz for a few days for a few chores and during this time of employment, he should be requested to go to the grave and recite Quran for the set amount of time and then return to his other chores. This is regarded as permissible. **والله تعالى اعلم**

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 7th Rabi ul Aakhir Shareef 1338 Hijri

www.alahazratnetwork.org 72

What is the ruling regarding those people who do not eat with some one who is sick and they also do not wear any clothes belonging to such a person. They say that the illness of one person can be contracted by another person. Is there any mention of such impermissibility in any Hadith Shareef?

The Answer: This is absolutely lies to say that the illness of one person travels and gets to another person. The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, "The illness of one person does not fly over to another." He (Sall Allahu Alaihi Wa Sallam) also said, "Then from whom did the first person get it?"

In other words, the second person is said to have got the illness from the first person and from whom did the first person get it from? As for the issue of wearing the clothes of the deceased, then we should not wear the clothes of that person who has a weeping rash etc where the fluid from it gets onto the clothes etc and makes it impure and one should not wear the clothes of someone with leprosy (Allah forbid) and this should not be avoided for this reason that the sickness will fly over to you, but it should be because of the impurity on the clothing. And when none of this is evident, then, there is no objection in wearing such clothing or eating together, as long as ones Imaan is strong and through the Will of Allah, if (Allah Forbid) one does get that sickness, one should not think that it was because one ate with that person or because one wore his clothing. One should not think that if one had not done so, then this would not have happened. And if one has weak Imaan (faith), then one should stay away from those people whose illnesses have been put into the minds of people to be dangerous and infectious, such as leprosy etc.

(One should not stay away from them with this thought that the sickness will be transferred to him, as this is baseless and a cursed thought, but for this reason, that if through the Will of Allah, one does get such a sickness, then it will not interfere with ones faith if one does not have the ability to combat the evil whispering of shaitaan).

Allah Protect us from such thoughts and if one can not combat the whispering of shaitaan, then one will be caught in the trap of false beliefs. Thus, one should abstain. It has been mentioned in the Hadith Shareef as

follows about such people (with weak Imaan), “Run away from a leper like you would flee from a lion.” والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 29 Rabi ul Aakhir Shareef 1338 Hijri

I would like to present the following issue in the court of the Ulama-e-Ahle Sunnat that on the 11 of Rabi ul Aakhir 1338 Hijri, I went to the Junction station Musjid for Zohr Salaah (as my posting was at the said police station). Mirza Saahib who is the Imam of the Musjid read salaah (Durood Shareef) after the Azaan. A person by the name of Muhammad Nabi Ahmed who is from Sambhal came up to the Imam and said that this reading of Durood after Azaan is bid'at. Whilst talking, this person became very loud and said that he had visited all the cities and this was the first place that he saw this. Mirza Saahib said that he was not an Aalim and would not be able to fully explain to him. He also told the person that If he wished he could go with him to the city and the Aalim there would be glad to explain. He was not pleased with this suggestion and went on shouting bid'at. He then said that this salaah never took place in the time of any Sahabi of the Prophet (Sall Allahu Alaihi Wa Sallam). I went up to the said person and told him that this salaah is called out after the Azaan in numerous cities such as Rampur etc. and I asked how he could refer to Durood and Salaah upon our Beloved Prophet (Sall Allahu Alaihi Wa Sallam) as bid'at? I told him that in the time of the Sahaba (radi Allahu ta aala anhum) there were no Madrasas and lodging areas etc like we have today. Will you regard these as bid'at as well? He replied by saying that these bid'ats are allowed. I said to him that Salaah after Azaan is Bid'ate Hassana (A good innovation) and the reward of this is only in written by Allah in the destiny of us Ahle Sunnat wa Jamaat and those who refute it, are deprived of this reward. I would thus like to know when this practice of salaah was first done? And explain in detail if such a person who says it is bid'at to read Durood on our beloved leader Rasool (Sall Allahu Alaihi Wa Sallam) is misled or not?

The Answer: Your answer was correct. To refute that which Almighty Allah has commanded in the Holy Quran and which Allah himself does and commands His Angels to do, and to regard it as bid'at and stop this

practice, is the act of these Wahabis. If the Wahabis are not misled then it would mean that Iblees is not misled, since his gumrahi (being misled) is less than theirs. Even he does not like lies for himself. It is for this reason that he excluded it by saying, المخلصين من هم الا عبادك من هم المخلصين, and yet these people try to attribute lies towards Almighty Allah. قاتلهم الله انى يوفكون

To say the Durood after Azaan is definitely desirable and likable. It has been more than five hundred and fifty years, that this has been a practice in Haramain Sharifain, Egypt and Syria.

It is in Durr-e-Mukhtar:

والتسليم بعد الاذان حدث فى ربيع الاخر ٧٨١ سبع مائة واحدى و ثمانين فى عشاء ليلة الاثنين ثم يوم الجمعة ثم بعد عشرين حدث فى الكل الا المغرب ثم فى مرتين وهو بدعة حسنة

It is in Al Qaulul Badi': والصوب انه بدعة حسنة يوجر فاعله:

والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 29 Rabi ul Aakhir 1338 Hijri

What is the ruling of the Ahle Shariat regarding whether it is haraam or Makrooh to eat Tobacco or not? What is the ruling about those who take tobacco in their paan and then read Quran, wazifas and Durood Shareef etc. after eating tobacco?

The Answer: It is haraam only if one eats an amount that causes harm and interferes with the senses and if it leaves a smell in the mouth it is Makrooh and if one uses a little with a scent like musk etc. and adds it to the paan and after eating, one rinses the mouth thoroughly on ever occasion, and there is no smell, then it is allowed.

One should not read any wazifa etc when the smell is still in the mouth. One should only do so after thoroughly cleansing the mouth. To read the Holy Quran with any foul smell in the mouth is even more disallowed. If however, it does not leave any smell in the mouth, then to read Durood

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Shareef and wazifas etc is allowed, even if there is paan or tobacco in the mouth. It is however better to rinse the mouth.

However, when reciting the Holy Quran, the mouth should be completely clean and empty. The Angels love to listen to the recitation of the Quran and some Angels have not been given the ability to recite the Quran. When a Muslim recites the Quran, the Angels place their mouths against the mouths of those reciting and take the pleasure of this recitation. If there is food etc in the mouth at that time, it causes discomfort to the Angels. The Holy Prophet (Sall Allaho Alaihi Wa Sallam) said, **“Cleanse your mouths by making miswaak as your mouth is the path to the Quran.”**

The Holy Prophet (Sall Allaho Alaihi Wa Sallam) said, “If any one of you wakes up for Tahajjud, he should make miswaak, for one who makes tilaawat (recites Quran) in Namaaz, has Angels placing their mouths over his mouth. That, which comes out of his mouth, enters the mouths of the Angels. رواه البيهقي في الشعب و تمام في فوائده و الضياء في المختارة عن جابر بن عبدالله رضى الله تعالى عنهما و هو حديث صحيح

It has also been mentioned in another Hadith Shareef as follows: “There is no smell that causes more discomfort to the Angels, compared to the smell of food. When a Muslims stands for Namaaz, then the Angel takes the mouth of that person against its mouth. The ayats (verses) which come out of the mouth of that person enters the mouth of the Angel.” والله تعالى اعلم
كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 3rd Jamadil Oola 1338 Hijri

I would like to ask the Ulama-e-Ahle Sunnat regarding the rights towards our neighbours. If our neighbours are kaafirs, shias or Wahabis etc. are our rights towards them the same as our rights towards our Muslim neighbours?

The Answer: The rights towards the Muslim neighbour are numerous. The Holy Prophet (Sall Allaho Alaihi Wa Sallam) said, “Jibraeel (alaihis salaam) was telling me about the importance of the right of ones neighbours to such an extent that I felt that they will be made the heirs to

ones estate.” (Baihaqi in Sunan from Ummul Momineen Siddiqah radi Allahu anha)

It has been mentioned in the Hadith Shareef, that the Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, “The right of one neighbour upon the other neighbour is this,

1. When he is ill, one should go and visit him
2. When he dies, then go with his Janaaza
3. When he asks for a loan, you should give him a loan
4. When you find any of his weaknesses, hide them
5. When he receives something good, congratulate him
6. If he is in any difficulty, comfort him
7. Do not build the walls of your home so high over his, that the wind is stopped from his home (in other words it becomes uncomfortable)
8. Do not cause him discomfort from the smell of the food which you cook, but rather share some of your food with him (In other words if you are wealthy and he is needy and the smell of the good food from your house reaches his home, then this causes him discomfort if he cannot afford to eat such good food, thus change his discomfort into happiness by sharing with him).” رواه الطبرانى فى الكبير عن معوية بن حيدة القشيري رضى الله عنه

There are no rights towards the raafdhis (shia) and the Wahabis as they are murtad and there is no rights towards a Kaafir who is not zimmi (not responsibility of the Muslim state) and all the kaafirs here are the same (in other words not Zimmi). The only thing is that we should not defraud them and go against any promise we make with them. (As long as it is within the bounds of Shariat) والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 12 Jamadil Oola 1338 Hijri

What is the ruling of the Muftis of Shariat, regarding the difference between Niaz and Fateha? What is the desirable (mustahab) method of making Niaz and Fateha? How do we send sawaab to the person for whom we are making the Niaz or Fateha? With the exception of this, how can we pass sawaab to all other Muslims?

The Answer: After a Muslim passes from this world, the Quran Shareef that is read by itself or with food etc and then sawaab of which is sent to the deceased Muslim, is commonly known as Fateha as Surah Fateha is read when doing this.

The Esaal-e-Sawaab that is made for the Awliyah Allah is respectfully called Nazr or Niaz. One should read Surah Fateha, Ayatul Kursi and then three, seven, or eleven times Surah Ikhlaas (Qul Huwallah) and Durood Shareef before and after, three times or more. After this one should raise both hands and say, "O Allah! For that which I have read (or if one has kept any food or clothes etc for distribution, then take the names of these things as well and say) or kept or intend to give, bless me with reward, not equal to my actions, but according to your blessings and on my behalf, send its reward to a certain Wali Allah (eg. Huzoor Ghaus-e-Azam radi Allahu anhu) and to his forefathers and his distinguished grandmasters and his family and children and to his mureeds and his well-wishers and to my mother and father and to certain person (whoever else you wish to send sawaab to) and to all Muslims from Sayyidina Adam (alaihis salaam) up to the day Qiyaamat, those present and those who have passed away and those who will come until then, bless this sawaab to all of them. والله تعالى

اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 24 Jamadil Oola 1338 Hijri

What is the ruling of the Ulama-e-Ahle Sunnat Wa Jamaat, regarding whether it is permissible or not to use black dye (in the hair and beard)? Some Ulama give the verdict of it being permissible.

The Answer: Red or yellowish colour is good and yellowish (saffron like) is better and black dye has been referred to as the dye of the Kaafirs in the Hadith Shareef. In another Hadith Shareef, it has been stated that on the day of Qiyaamat Almighty Allah will make such a persons face black. This dye is Haraam. The fatwa (verdict) which says it to be permissible is baseless and rejected. Our detail answer to this has been published a long time ago.

والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه

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بِحَقْدِ نِ الْمِصْطَفَى صَلَّى اللهُ تَعَالَى عَلَيْهِ وَسَلَّمَ

Question: 30 Jamadil Oola 1338 Hijri

What is the ruling of the Muftis of Islam regarding whether the Zabiha (animal sacrificed) by a Raafdhi (shia), wahabi or qadiani is regarded as halaal whereas he has mentioned "Bismillahi Allahu Akbar" and sacrificed the animal? What is the law regarding the Zabiha of a Kaafir Ahle Kitaab, Christian and Jew when he says "Bismillahi Allahu Akbar" and sacrificed the animal? Can a Muslim female make zibah as well, if there is no male at home?

The Answer: It is allowed for a female to make zibah as long as she is aware of the proper way to do so. The Zibah of a Yahoodi (Jew) is allowed if he takes the name of Allah and makes Zibah. If a person is truly a Christian and not an atheist or the Christians of today, The Zibah of an atheist who reads kalma claiming Islam is still rejected and not that of one who claims to be a Nasrani (Christian, but now like those today). The Zabiha of Raafdhis, Wahabi deobandi, Wahabi Ghair Muqallid, qadianis, Chakralwis and Naichris are all impure and rejected and regarded as totally haraam even if they take the name of Allah a hundred thousand times and no matter how pious and good they may portray themselves to be as they are all murtads. The Zabiha of a Murtad is not legal. The Zabiha of a non Tabara'i raafdhi in other words the Tafzeelas Zabiha is halaal only if he does not reject any necessities of Deen and he does not regard any other raafdhi who rejects any necessity of Deen as a Muslim. **(Note: Here the zibah of jews and Christians refers to the true Ahle Kitaab andnot those of today)** وَاللّٰهُ تَعَالَىٰ اَعْلَمُ

كُتِبَ عَلَيْهِ الْمَذْنِبِ اَحْمَدُ رَضِيَ اللهُ عَنْهُ
بِحَقْدِ نِ الْمِصْطَفَى صَلَّى اللهُ تَعَالَى عَلَيْهِ وَسَلَّمَ

Question: 25th Jamadil Aakhir 1338 Hijri

What is the ruling of the Ahle Shariat in the following case: A person from Rampur said to me that I should ask Aala Hazrat about the issue that he heard from the Ulama that to marry a kitaabi (person of the book) is allowed and to marry a Raafdhi Tabara'i, Wahabi and qadiani is Haraam and adultery. Now, What I want to know is whether the Raafdhi Tabara'i, qadianis and Wahabis are worse than the Kaafir (Ahle Kitaab)? The www.alahazratnetwork.org 79

Raafdhi became Kaafir by slandering the Sahaba, the qadiani by claiming Nabuiwat and the wahabi by being blasphemous in the court of the Prophet (Sall Allaho Alaihi Wa Sallam), but the rest of their actions such as Namaaz and fasting etc is same like all other Muslims. As for the Kitaabi Kaafir, they do not accept the Prophet (Sall Allaho Alaihi Wa Sallam) from day one and neither do they perform Namaaz or keep fast and they reject all the necessities of Deen.

If to marry the raafdhi, Wahabi and qadiani is impermissible, then it should be even more so to marry a Kaafir kitaabi. And what is the law about a person that marries a raafdhi lady, wahabi lady or qadiani lady, thinking that they are under his complete control and command and that he will slowly but surely explain to them and make them proper Muslim?

The Answer: In the rules of the world, the worst type of Kaafir is a Murtad and the worst amongst the murtads is a Munafiq (hypocrite). The Raafdhis, Wahabis, qadianis Naichris, Chakralwis read the kalma and even claim to be Muslims. They even read Namaaz etc and show that they follow the actions as commanded in Islam; actually the Wahabis etc. even teach and learn the Quran and Hadith and the deobandis even accept what is said in the books of fiqh, and they even claim (falsely) to be Chishti, Naqshbandi etc and make Peeri Mureedi by copying the ways of the great Ulama and Mashaikh and at the same time, they show disrespect and say words of blasphemy in the court of the Prophet (Sall Allaho Alaihi Wa Sallam). They even reject certain aspects of the necessities of Deen.

Their actions of kalma and claiming to be Muslims, and behaving like Muslims has shown them to be worse than all kaafirs and even worse than the Jews, Christians, idol worshippers and fire worshippers, since they have claimed Islam and turned back, they have seen and then gone astray and after knowing the truth, they have rejected it.

Almighty Allah says, “This is recompense for that, that they have become unbelievers after bringing faith and a seal has been placed on their hearts and now they have in reality no understanding.” والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 15th Rajab 1338 Hijri

What is the ruling of the Ulama-e-Ahle Sunnat in the said case: It is a common practice in the villages (rural areas), that the Muslims sacrifice (make Zibah) the animals. They then leave all the meat etc with the Kaafirs and leave. This is taken by the Kaafirs, who regard it as theirs and finally sell it. Should the Muslims eat such meat?

The Answer: It is haraam. The claim of the Kaafir that this is the same goat that the Muslim had sacrificed is not acceptable. Their word is not valid in such issues of virtue.

However, if the meat was not hidden from the sight of a Muslim from the time of zibah until the time that it was sold, and a Muslim was always watching this meat until the time of sale and it can be confirmed by the Muslim that this is the same animal that the Muslim had made zibah, then to purchase it is allowed. والله تعالى اعلم.

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 28th Rajab 1338 Hijri

What is the ruling of the Ulama-e-Deen regarding whether the Parents have certain rights over the children or not?

The Answer: The rights of the parents over their children are so great that Almighty Allah has mentioned it when mentioning His Rights (over his servants). Allah says, "Fulfil your duties towards Me and towards your parents."

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling regarding frequenting the gatherings of Raafdhis (shias) and to listen to the marsiyahs there, to take their things of niaz and to go there on the eight of Muharram which they regard as virtuous and partake in their meals etc? During Muharram some people were green clothes. What is the ruling regarding black clothing?

The Answer: To go (to their gatherings) and listen to the marsiyahs (there) are both haraam. Their niaz things should not be taken. Their niaz is not Niaz and possibly it is not free from impurity. The least that one can find will be the impure water of theirs which they definitely use. Presenting oneself on that day is totally a cursed act and to be present there is to be invoking curse on yourself.

To wear black and red clothing in Muharram is a sign of mourning and mourning (Sowg) in Islam is Haraam. Especially wearing of black (during Muharram) as it is the sign of the Raafdhis of this time. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 11th Muharram 1339 Hijri

What is the ruling of the Ulama-e-Deen and the Representatives of the Prophets regarding the below mentioned:

Some of the Ahle Sunnat do not make bread (roti) for the entire ten days of Muharram and neither do they sweep their homes. They say that roti will only be cooked after the Taazia is buried, They do not change their clothes in these ten days, They do not marry during these ten days, With the exception of Imam Hassan and Hussain (radi Allahu ta aala anhum), they do not make any other Niaz during these days. Are all these practices permissible or not?

The Answer: The first three things are sowg (mourning) and that is haraam. The fourth thing is ignorance. The Niaz of every Wali and Fateha of every deceased can be made at any time or on any day of the year. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling of the Ulama-e-Deen in this case, that there is a Sayyid Saaheb who has such long hair, that it is referred to as "Gaisoo" (long hair). Is it allowed for the Sayyids to have such long hair? I have heard that Imam Hassan and Imam Hussain (Radi Allahu anhum) used to have such long hair hanging to their shoulders?

www.alahazratnetwork.org 82

The Answer: To keep hair up to the shoulder length is allowed and is proven from Sunnah. To grow the hair over the shoulders is especially for females and forbidden for males. The Prophet (Sall Allahu Alaihi wa Sallam) said, "The curse of Allah is upon those males who imitate females." والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 21st Muharram 1339 Hijri

What is the ruling of the Ahle Shariat regarding whose Imaamat is permissible and whose is not? Also state whose Imaamat is Makrooh? Which is the best person to appoint as an Imaam?

The Answer: Namaaz is totally null and void behind a person who does not recite the Quran properly (Qira'at) causing the meaning to change, or a person who does not make proper wudhu or ghusl or one who rejects any one of the necessities of Deen (Zarooriyat-e-Deen), such as the Wahabis, Raafdhis, Naicharis, qadianis and Chakrelwis etc.

As for those, whose gumrahi (deviation) has not as yet reached the level or kufr, such as the Tafdeeliyah, who say Hazrat Ali (radi Allahu anhu) to be more exalted than Hazrat Abu Bakr and Umar (radi Allahu anhum) or the Tafseeqiya, who speak badly about some of the Sahaba-e-Kiraam, such as Hazrat Ameer Muawiyah, Amr bin A'as, Abu Moosa Ash'ari and Hazrat Mughira bin Shu'ba (radi Allahu anhum) etc, then Namaaz behind such people is strongly Makrooh-e-Tahreemi, since to make them Imam is haraam and to read Namaaz behind them is sinful and all those Namaaz that were performed behind such people must be repeated.

And close to these, is the Faasiq Mul'in (an open transgressor of the Shariat) e.g. one who completely shaves off his beard, one who keeps a very short beard, one who trims it shorter than the requirement of Shariat, a person who keeps his hair over his shoulders like a female, especially those who use gum to hold up their plaits, one who wears silk clothing or a hat ornamented with gold or silver, a person who wears a ring more than four and a half marshas in weight, a person who wears a ring with more than

one stone, one who wears two rings with one stone, even though both together weigh less than four and a half mashas, a person who takes interest, or a person who sees dances etc. Namaaz behind all of these persons is Makrooh-e-Tahreemi and waajib (compulsory to repeat if read behind them).

Namaaz behind a person who is not Faasiq Mul'in, but he makes such errors in the Quran that does not change the meaning and damage the Namaaz, he is blind, ignorant, a slave, or a illegitimate child or a very handsome young man, a leper or one with leucoderma, is Makrooh-e-Tanzeehi, in other words Namaaz behind all those people who the public are not comfortable with reading Namaaz behind. To read behind these people is Khilaaf-e-Ulaa (Contrary to what is best) and if one does read behind them, then there is no objection.

Now, if from amongst all the people present, one of the people as mentioned in the above paragraph is amongst them and is most knowledgeable in the laws of Namaaz and Tahaarat, then he is most worthy of being the Imam. This is not the case in the first two categories of people that have been mentioned, even if he is an Aalim, then the same rule will apply and Namaaz behind him will not be regarded as legal. Now, if one does not have anywhere else to read Jummah or Eidain, then Namaaz behind a Faasiq or bid'ati is allowed if another Imam can not be found. This however does not refer to the first category such as the Deobandis etc. as their Namaaz is not really Namaaz and there is no Namaaz that can be read behind them. Now, if only one of them is Imam and a proper Muslim Imam can not be found for Jummah and Eidain, then in that case, it is Fard to leave the Jummah and Eidain. Instead of Jummah one will read Zohr and there is nothing to be read in place of Eidain (Two Eid prayers).

That person must be appointed as an Imam, who is Sunni Sahihul Aqida, who makes proper tahaarat, reads proper Qira'at and knows well the laws relating to Namaaz and Tahaarat and is a non faasiq. He must also not have any such physical or spiritual defect that will cause people to be uncomfortable reading behind him. This is a brief and condensed answer to the query and the detail answer requires in-depth detail and explanation.

والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

www.alahazratnetwork.org 84

Question: 1st Safar 1339 Hijri

What is the command of the Ahle Shariat regarding the rights of a husband upon his wife and the rights of the wife upon her husband?

The Answer: The rights of the husband upon his wife are to provide her with food, shelter and the necessities; he must fulfil the Mahr (Dowry) in its allocated time; he must be good to her and he must protect her from doing those things which are against the Shariat. Almighty Allah says, "And treat them well." Almighty Allah says, "O You who have brought Imaan! Protect yourself and your family from the fire of hell."

The duties of the wife towards her husband and in the issue of marriage, after Allah and His Rasool, her greatest duty is towards her husband and this is even above her duty towards her parents. In fulfilling these rights, she must be obedient to him, To protect his honour and dignity is a very important obligation upon her, Without his permission, she can not go anywhere, except to her Mahaarim (those who she can not marry), and she can go to her parents home (her Mahaarim), on every eight day and that too, only from morning until evening. She can only go to the home of her brothers, sisters, maternal and paternal uncles and aunts after only one year (without permission) and she cannot stay the night at any of their homes (without permission).

The Prophet (Sall Allahu Alaihi Wa Sallam) said, "If I had to command you to make Sajdah for anyone other than Allah, then I would have commanded every wife to make sajdah to her husband." In another Hadith Shareef, it has been mentioned, "If blood and pus has to ooze from the nostril of the husband and reach his heels, then even if the wife had to clean it with her tongue, it will not fulfil her duties towards him." (This has been mentioned to show the right that has been given to the husband in a marriage). والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 29 Safar 1339 Hijri

What is the ruling of the learned scholars regarding the issue where some people read and perform Namaaz without a hat, and say that they are showing humility in the court of Allah? Is there any objection to this, and will this cause any interference in the Namaaz?

The Answer: If they really are reading with the intention of humility, then there is no objection to this. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 6th Rabi ul Awwal 1339 Hijri

What is the ruling of the Ulama regarding the issue where an animal is made Zibah by saying Bismillahi Allahu Akbar and the head is severed completely in the first strike. Is it permissible to eat such an animal or not? If the skin is still causing it to be slightly attached to the body, what is the ruling?

The Answer: It is permissible in both cases. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: 12 Rabi ul Awwal Shareef 1339 Hijri

1. What is the ruling of the learned Ulama-e-Ahle Sunnat regarding the issue of the chana that is read on during the third day Fateha of a deceased? Kalma-e-Tayyibah is read on this chana and some people say that to eat this chana is Makrooh and they say that it makes the heart black. Is this correct or not? Now, if it is correct, then what should be done with this chana? They say the same about the food for Fateha that is done for the ordinary people.

2. In one locality the Muslims take the chana that they have read on for the third day and then give it to the mushrik cobblers and this has always been the tradition there. Now, is it permissible to give these chanas on which Kalma-e-Tayyibah has been read to these cobblers?

The Answer: These should be taken by the poor and not by the wealthy. As for those who wait to get this and who look forward to eating it happily, it is their hearts that become black. To give this to the Mushriks or cobblers is a sin, a sin, a sin. The poor should take it and personally eat it, and the wealthy should not take it. If they do take it, then they should give it to a Muslim faqeer. This is the rule regarding the Fateha of ordinary people. The Niaz of the Awliyah Kiraam is not regarded as the food of the deceased and all may eat it, be it faqeer or Ghani (wealthy), as long as it is not a vow that has been taken (that is to be given only to the poor). If it is a vow as per Shariat, then this cannot be eaten by the wealthy. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 15th Rabi ul Awwal 1339 Hijri

What is the ruling of the Ulama-e-Deen regarding the issue of a Muslim person who is a slaughterer who goes around in villages slaughtering animals for people. He charges two paisas or one aana (sixteenth part of a rupee) for this. Zaid also performs Imaamat, and he also occasionally asks for meat as payment for his services. The Ulama-e-Deen must state whether it is permissible to take payment for slaughtering or not? Is it permissible to perform Namaaz behind him or not? Is it correct for him to do Imaamat or not?

Some people say that to eat meat is not proven from any verse of the Quran or from any Hadith, whereas some people say that the Prophet (Sall Allahu Alaihi Wa Sallam) once slaughtered a cow and then cooked its meat and placed his finger into it and then tasted it from his finger and this was only because the Prophet (Sall Allahu Alaihi Wa Sallam) had not eaten for many days. It was after this, that the people started to eat meat, just to please their desire. I would like you to present me with evidence of this with reference to verses of the Quran and Hadith.

The Answer: There is no objection if he takes payment for slaughtering. However, if he says that he will slaughter the animal and will take a specific amount of meat from it, is not permissible. He may take a permissible payment for the animal that he slaughters. Namaaz behind such a person is allowed and there is no objection based on this. His Imaamat is legal as long as he does not do anything that is disallowed by the Shariat.

www.alahazratnetwork.org 87

It is proven from Quran, Hadith and Ijma-e-Ummah that to eat meat is totally permissible.

Almighty Allah says, “And you too (should) eat thereof and feed the needy and the distraught”

Almighty Allah says, “And they ride on some and eat some”

Almighty Allah says, “And what happened to you that you do not eat of that on which the Name of Allah has been invoked”

The incident that was related is a baseless story that someone just narrated and is totally false and a lie. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: 27 Rabi ul Awwal 1339 Hijri

What is the ruling of the Ulama-e-Deen regarding this issue: Zaid says that to read Shajrah is to be caught in a web of deceit and he presents the following excerpt of the book Bahaaristaan by Maulana Jaami as proof:

“People asked Hazrat Khaja Naqshbandi (radi Allahu anhu) about his Shajrah and he replied by saying, ‘A person does not just reach excellence by only reciting his Shajrah. We recognise Allah without example and we bring Imaan on all the Ambia and Awliyah and we are not established on one particular Silsila” Is this statement correct or not?

The Answer: This statement is completely baseless. This is an attack on thousands of Awliyah-e-Kiraam. The excerpt that has been presented from Bahaaristaan is a fake. There is no mention of shajrah or recitation of shajrah in the actual book. And the words from “We recognise Allah.....” until the end have been put in by the person himself and are not part of the book Bahaaristaan. A Shajrah is the certificate of a servant’s connection up to the Holy Prophet (Sall Allahu Alaihi Wa Sallam), just as Imam Abdur Rasheed bin Mubaarak rahmatullah alaih who is the Imam of all the Awliyah, Ulama, Muhaditheen and Fuqaha, has mentioned concerning the

certificate (showing authenticity of transmission), ‘If the Silsila (chain) of certificates of authenticity were not existent, then every person would be able to add his desires in the religion.’

These are some of the benefits of reciting the Shajrah:

Protection of evidence of ones connection up to the Holy Prophet (Sall Allahu Alaihi Wa Sallam), Remembrance of the pious, which is a means of attaining blessings, Making Esaal-e-Sawaab for all your Grandmasters by taking each ones name individually, thus attaining their special blessings.

When one takes their names in good times, they will remember you in your difficulties and assist you.

The Holy Prophet (Sall Allahu Alaihi Wa Sallam) said, ‘Remember Allah in your times of comfort and He will recognise (remember) you during your hardships.’

رواه ابو القاسم من بشران فى امالية عنا بى هريرة وغيره
عن ابن عباس رضى الله تعالى عنهم بسند حسن
والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling of the Ulama-e-Deen regarding the issue of eating and drinking inside the Musjid? Is it permissible or not, or is it Makrooh or Haraam? Can a person who makes intention of Nafil I'tekaaf when entering the Musjid, eat and drink in the Musjid or not? If he is allowed to do so, then does it have to be after some actions remembrance of Allah or immediately on entering the Musjid?

The Answer: It is totally haraam to eat in such a manner that food and crumbs are dropped in the Musjid causing it to be messed. This is for a Mu'takif (one in I'tekaaf) or for a person not in I'tekaaf. The same applies to food eaten in the actual area where Namaaz is read. If both these things which have been mentioned are not found, it is Makrooh for a person not in I'tekaaf to eat in the Mosque and it is allowed for a Mu'takif, if in reality he intended to make I'tekaaf. If this is the case, then immediately on making Niyyah (intention), he is allowed to eat and drink therein. If however, he made the Niyyah of I'tekaaf, just so that he may be able to eat and drink in

the Musjid, then he should first spend some time in the remembrance of Allah and then eat or drink anything. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بمحمّد ن المصطفى صلى الله تعالى عليه وسلم

Question: What is the ruling of the Ulama-e-Deen and the Muftis in the case where Zaid made Nikah to a lady and in her lifetime, he made Nikah to her younger sister. Is the second Nikah regarded as legal or not? What is the ruling about the children that are born from both these women? Are these children worthy of inheriting from his estate or not? Are both these women worthy of receiving their Mahr (dowry) or not?

The Answer: As long as the wife is in ones Nikah or in Iddat, it is totally haraam to marry her sister. قال الله تعالى و ان تجمعوا بين الاختين

The children that are born from this will be regarded as illegitimate according to Shariah, but will not be regarded as children of adultery. To refer to them as Haraam, as in children of adultery, is not permissible. The first wife was halaal upon him for as long as he had not touched the second one. Those children that they had before this took place will be regarded as halaal (legitimate) and after this, due to intimacy, those children that are born, will be regarded as illegitimate according to Shariat and still will not be called children of adultery. The children of both women that they had from zaid, will receive inheritance from his estate as their relationship to him has been proven. However, the second wife will not receive anything from this inheritance as the second Nikah is not proper. Both women are however worthy of Mahr (Dowry). The first will receive it entirely and the second since it is accepted that in reality he was intimate with her. Just being alone is not sufficient. However, she will still receive her full mahr and the second will receive that which is less than the Mahr Mithl (dowry that is been commonly enforced in the family) and that which has been agreed upon.

It is in Durr Mukhtar as follows: The mahr mithl is still compulsory even in a Nikah that was not proper, in other words it refers to that Nikah where any one of the conditions that give validity to the correctness of the Nikah can not be found, such as the witnesses and the same applies to marrying two sisters at once (having both in ones Nikah together) and when one

sister is in Iddat, to marry the other sister. In this case, the Mahr will be compulsory if there has been sexual intimacy. Just being alone, without any sexual intimacy will not make the mahr compulsory. And the Mahr Mithl will not be more than the mahr which has already been fixed, since the woman has already agreed to it being a lesser amount. And if this is less than the already fixed amount of Mahr, then the Mahr-e-Mithl must be paid.”

It is in Hidaaya in the section of Nikah Ar Raqeeq as follows: “Some purposes are found attainable in an improper (Faasid) Nikah, such as evidence of paternity, compulsion of giving mahr and Iddat.”

It is also in Durr Mukhtar as follows: “A person will be worthy of inheritance only based on a proper Nikah. This, in an improper Nikah, none will be the inheritor of the property of the other and there is consensus regarding this. والله تعالى اعلم

كتبه عبده المذنب احمد رضا عفى عنه
بحمد ن المصطفى صلى الله تعالى عليه وسلم