

Is it Necessary to Specify the Zakah When Giving it?

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: Can we give our siblings zakah money without telling them that it is zakah?

Answer

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

When giving zakah to someone who is eligible to accept it, it isn't necessary to inform them that it is zakah money. Instead, it can be given as 'eidi' or a gift. However, when separating the money to pay zakah or when giving the money to the shar'i faqir, it is a condition that one has the intention of zakah in his heart; the zakah will not be fulfilled without this. Therefore, if the siblings are eligible to accept zakah and they are not Syed nor Hashmi, they can be given that money with any title while having the intention of zakah; it isn't necessary to inform them that it is zakah. It is stated in Al-Fatawa Al-'Alamgiri:

ومن أعطى مسكيناً درهماً أو قرضاً ونوى الزكاة فإنها تجزيه، وهو الأصح هكذا في البحر الرائق ناقلاً عن المبتغى والقنية
(Al-Fatawa Al-'Hindiyah, Vol. 1, p. 171, Publ. Dar Al-Kutub Al-'Ilmiyah, Beirut)

Our master, A'la Hazrat Imam Ahmad Raza Khan عليه الرحمة الرحمن states in Fatawa Razawiyah:

اگر عید کے دن اپنے رشتہ داروں کو جنہیں زکوٰۃ دی جاسکتی ہے کچھ روپیہ عیدی کا نام کر کے دیا اور انہوں نے عیدی ہی سمجھ کر لیا اور اس کے دل میں یہ نیت تھی میں زکوٰۃ دیتا ہوں بلاشبہ ادا ہو جائے گی۔

Translation: If one gives his relatives who are eligible to accept zakah some money on eid as eidi, and they took it assuming that it is eidi, but the intention was to pay zakah, the zakah will undoubtedly be fulfilled. (Fatawa Razawiyah, Vol. 10, p. 71, Publ. Raza Foundation, Lahore)

It is stated in Bahar-e-Shari'at:

زکوٰۃ دیتے وقت یا زکوٰۃ کے لیے مال علیحدہ کرتے وقت نیت زکوٰۃ شرط ہے۔ نیت کے یہ معنی ہیں کہ اگر پوچھا جائے تو بلا تامل بتا سکے کہ زکوٰۃ ہے۔

Translation: It is a condition that one has the intention of zakah when paying the zakah or when separating the zakah money. Having the intention means that if they are asked, they can inform them that it is zakah without needing to ponder. (Bahar-e-Shari'at, Vol. 1, Pt. 5, p. 886, Publ. Maktaba-Tul-Madinah, Karachi)

It is stated in Bahar-e-Shari'at:

زکوٰۃ دینے میں اس کی ضرورت نہیں کہ فقیر کو زکوٰۃ کہہ کر دے، بلکہ صرف نیت زکوٰۃ کافی ہے یہاں تک کہ اگر ہمہ یا قرض کہہ کر دے اور نیت زکوٰۃ کی ہو ادا ہو گئی۔ یوں نذر یا یہ یا پان کھانے یا بچوں کے مٹھائی کھانے یا عیدی کے نام سے دی ادا ہو گئی۔ بعض محتاج ضرورت مند زکوٰۃ کا روپیہ نہیں لینا چاہتے، انہیں زکوٰۃ کہہ کر دیا جائے گا تو نہیں لیں گے لہذا زکوٰۃ کا لفظ نہ کہے۔

Translation: It isn't necessary to specify when giving the faqir the zakah. It is sufficient to have the intention of zakah. Even if one has the intention of zakah but calls it a gift or a debt, the zakah will be fulfilled. Similarly, if one gives the money

calling it nazr, hadiyah (gift), to eat some pan, for children to eat buy some sweets, or eidi, the zakah will be fulfilled. Some destitute and needy people don't like accepting zakah money and if they are given it with the title of zakah, they don't take it. Therefore, it shouldn't be called zakah. (Bahar-e-Sharī'at, Vol. 1, Pt. 5, p. 890, Publ. Maktaba-Tul-Madinah, Karachi)

وَاللّٰهُ اَعْلَمُ عَزَّ وَجَلَّ وَرَسُولُهُ اَعْلَمُ صَلَّى اللّٰهُ تَعَالٰى عَلَيْهِ وَاٰلِهٖ وَسَلَّم

(Allah Almighty knows best and His Messenger صَلَّى اللّٰهُ عَلَيْهِ وَاٰلِهٖ وَسَلَّم knows best.)

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Ref No: FAM-676

Date: 27th Sha'ban Al-Mu'azzam 1446 AH/ 26th February 2025



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