

Is Charity Valid If It Is Given Without Informing the Recipient?

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: If one gives someone sadaqah (charity) without informing them that it is charity, will the sadaqah be considered valid and fulfilled?

Answer

In the inquired situation, the sadaqah given without informing the recipient (that it is sadaqah) is fulfilled because in sharī‘ah the intention of the donor is considered; informing the recipient or the recipient knowing that this is sadaqah is not required at all. Even for zakāh, if one gives an eligible recipient some money calling it a ‘gift’ while intending the payment of zakāh, then the zakāh will be fulfilled. This same ruling applies for Nafl (voluntary) sadaqah. Moreover, if one doubts that the deserving person will not take the money if he is informed that it is sadaqah or he will feel ashamed then it is better to give him the money without informing him. But it should be noted that when giving obligatory sadaqah, one should be reasonably satisfied that the person is eligible.

رحمة الله تعالى ‘Allāmah ‘Abdur-Raḥmān Bin Muḥammad Shaykhī Zādah Dāmād Āfandī (d. 1078 AH/1667 CE) writes:

ان العبرة لنية الدافع لا لعلم المدفوع إليه

Translation: The intention of the donor is considered, not the knowledge of the recipient. (Majma‘ al-Anhur Sharḥ Multaqā al-Abḥur, Book of Zakāh, Ch. the conditions for the fulfillment of Zakāh, Vol. 01, p. 196, Publ. Dār Iḥyā’ al-Turās al-‘Arabiyy, Beirut)

The Imām of Ahl as-Sunnah, Imām Aḥmad Razā Khan رحمة الله تعالى (d. 1340 AH/1921 CE) writes:

اصل یہ ہے کہ زکوٰۃ میں نیت شرط ہے، بے اس کے ادا نہیں ہوتی... پھر اس میں اعتبار صرف نیت کا ہے اگرچہ زبان سے کچھ اور اظہار کرے، مثلاً دل میں زکوٰۃ کا ارادہ کیا اور زبان سے ہب یا قرض کہہ کر دیا، صحیح مذہب پر زکوٰۃ ادا ہو جائے گی۔ شامی میں ہے: لا اعتبار للتسمية فلو سماها هبة او قرضا تجزیه فی الاصح۔ پھر نیت بھی صرف دینے والے کی ہے، لینے والا کچھ سمجھ کر لے، اس کا علم اصلاً معتبر نہیں... ولہذا 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: The principle is that the intention of zakāh is required; without intention the zakāh will not be fulfilled. Moreover, only the intention is taken into consideration, even if one expresses something else verbally.. For example, if one

had the intention of zakāh in the heart but said that it is a gift or a debt, then the zakāh will be fulfilled according to the saḥīḥ (correct) opinion. It is stated in Shāmī: There is no consideration for the name. Therefore, if one called it a 'gift' or 'debt', even then the zakāh will be fulfilled according to the asaḥ (most accurate) opinion. Furthermore, only the intention of the donor is considered. With whatever intention the recipient takes the money will not be considered at all... Therefore, if one gave money to his zakāh eligible relatives on the day of 'Eid calling it 'eīdī ('Eid money), and they even took it considering it to be 'eīdī, but the donor had the intention of giving zakāh, the zakāh is undoubtedly fulfilled. (Fatāwā Razawiyah, Vol. 10, pp. 65-67, Publ. Razā Foundation, Lahore)

Sadr al-Sharī'ah, Muftī Muḥammad Amjad 'Alī A'zamī رحمۃ اللہ تعالیٰ علیہ (d. 1367 AH/1948 CE) writes:

زکوٰۃ دینے میں اس کی ضرورت نہیں کہ فقیر کو زکوٰۃ کہہ کر دے، بلکہ صرف نیت زکوٰۃ کافی ہے، یہاں تک کہ اگر ہبہ یا قرض کہہ کر دے اور نیت زکوٰۃ کی ہو ادا ہو گئی۔ یوں نذر یا ہبہ 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: When giving zakāh, it is not necessary to inform the shar'ī faqīr that this is zakāh. Rather, just making the intention of zakāh is sufficient. Even so, if one gives it to them calling it a gift or debt, but they have the intention of zakāh, it will be fulfilled. Similarly, if it is given with the name of nazr, hadiyah, for eating pan, for sweets for the children, or 'eīdī, it will be fulfilled. Some destitute and eligible people do not like taking zakāh money, and if they are informed that this is zakāh, they will not take it. Therefore, it should not be called zakāh. (Bahār-E-Sharī'at, Vol. 01, pt. 05, p. 890, Publ. Maktaba-Tul-Madīnah, Karachi)

'Allāmah 'Abdul-Ghanī Bin Ismā'īl Nāblusī رحمۃ اللہ تعالیٰ علیہ (d. 1143 AH / 1731 CE) writes:

إذا كان المتصدق عليه يؤذيه ذلك ويكرهه فترك أذى المؤمن أفضل

Translation: If informing the recipient will cause them embarrassment and they will dislike it, then it is better to avoid harming a Muslim. (Al-Ḥadīqah al-Nadiyah Sharḥ al-Tarīqah al-Muḥammadiyah, Vol. 02, p. 349, Publ. Dār al-Kutub al-'Ilmiyah, Beirut) Muftī Abdul-Wājid Nayyar Qādrī رحمۃ اللہ تعالیٰ علیہ (d. 1439 AH/2018 CE) writes:

وہ حضرات جو مصرف زکوٰۃ ہیں، مگر شرم وغیرت کی وجہ سے لوگوں کے سامنے دست سوال دراز نہیں کرتے... انہیں بجائے زکوٰۃ کے تحفہ تحائف ہی کے نام پر دینا افضل ہے۔

Translation: Those who are eligible of receiving zakāh but they do not beg people out of shame and self-respect, it is better to give it to them under the guise of a gift rather than calling it zakāh. (Fatāwā Europe, p. 284, Publ. Shabīr Brothers, Lahore)

وَاللّٰهُ اَعْلَمُ عَزَّوَجَلَّ وَرَسُوْلُهُ اَعْلَمُ صَلَّى اللّٰهُ تَعَالٰى عَلَیْهِ وَاٰلِهٖ وَسَلَّم

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

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