

The Ruling on a Shaykh-E-Fānī Who is Not Capable of Paying Fidyah

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: If someone is a Shaykh-e-Fānī, they are required to pay the fidyah of fasting. But the question is, if one is not capable of paying the fidyah either, then what should they do?

Answer

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

A Shaykh-e-Fānī (i.e., a person who has become so weak due to old age that they can no longer observe the fasts and there is no hope that they will ever regain the ability to do so in the future) is required to feed a miskīn or shar'ī faqīr two filling meals for each fast, or pay the amount of one sadaqah al-fitr to a miskīn or shar'ī faqīr for each fast. However, if such a person is a destitute and is not capable of paying fidyah, then they must perform istighfār. If they later gain the ability to pay fidyah, then they must pay it at that time.

It is stated in the Noble Qur'ān about a Shaykh-e-Fānī:

وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ

Translation (Kanz-ul-'Irfān): And those who are incapable, then for them there is the feeding of a destitute individual (miskīn) as expiation. (Part 02, Sūrah al-Baqarah, Verse 184)

Under this verse, it is narrated in *Sahīḥ al-Bukhārī*:

قال ابن عباس: ليست بمنسوخة هو الشيخ الكبير، والمرأة الكبيرة لا يستطيعان أن يصوما، فيطعمان مكان كل يوم مسكينا

Translation: Ibn 'Abbās states: This verse is not abrogated. This refers to a very old man and very old woman who are incapable of fasting. Hence, they must feed one miskīn for each day (of not fasting). (Sahīḥ al-Bukhārī, p. 1101, Ḥadīth No. 4505, Publ. Beirut)

Instead of feeding, it is also permissible to pay the amount of a sadaqah al-fitr for each fast. It is stated in *Bahār-E-Sharī'at*:

شیخ فانی یعنی وہ بوڑھا جس کی عمر ایسی ہو گئی کہ اب روز بروز کمزور ہی ہو تا جائے گا، جب وہ روزہ رکھنے سے عاجز ہو یعنی نہ اب رکھ سکتا ہے نہ آئندہ اُس میں اتنی طاقت آنے کی اُمید ہے کہ روزہ رکھ سکے گا، اُسے روزہ نہ رکھنے کی اجازت ہے اور ہر روزہ کے بدلے میں فدیہ یعنی دونوں وقت ایک مسکین کو بھر پیٹ کھانا کھانا اس پر واجب ہے یا ہر روزہ کے بدلے میں صدقہ فطر کی مقدار مسکین کو دیدے۔

Translation: When a Shaykh-e-Fānī (i.e., an old person who has reached such an age that he is growing in weakness every day) becomes incapable of observing fasts, and there is no hope that they will gain enough strength to fast in the future, then it is allowed for them to skip fasts. But for every fast they must pay a fidyah,

i.e., it is wājib upon them to feed a miskīn two filling meals or give the amount of a sadaqah al-fitr to a miskīn for every fast. (Bahār-E-Sharī'at, Vol. 01, pt. 05, p. 1006, Publ. Maktaba-Tul-Madīnah, Karachi)

If a Shaykh-e-Fānī is a destitute then he must perform istighfār. It is stated in Ḥashiyah al-Shalbī 'Alā Tabyīn al-Ḥaqā'iq:

فان لم يقدر على الاطعام لفقره يستغفر الله تعالى ويستقيله

Translation: If one is not capable of feeding due to being a destitute, they should seek forgiveness from Allāh and repent for their shortcomings. (Ḥashiyah al-Shalbī 'Alā Tabyīn al-Ḥaqā'iq, Vol. 02, p. 199, Publ. Beirut)

The Imām of Ahl as-Sunnah, Imām Aḥmad Razā Khān رحمه الله تعالى عليه states:

جنہیں روزے کی قدرت نہ ہو ان پر بدلہ ہے ہر روزے کے عوض ایک مسکین کا کھانا اور جن کو اس کی بھی استطاعت نہ ہو وہ حصول استطاعت کا انتظار کریں اور اپنے رب سے انابت واستغفار کہ وہی قرآن کریم میں فرماتا ہے: ”لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا“ خدا کسی کو اس کی طاقت سے زیادہ حکم نہیں دیتا۔

Translation: Those who are unable to observe fasts, they must feed one miskīn for each fast. Those who are unable to do this as well must wait until they gain the ability to do so. Meanwhile, they should repent and seek forgiveness from their lord, for He states in the Noble Qur'ān: Allah does not place a burden upon any soul except to the extent of its strength. (Fatāwā Razawiyah, Vol. 11, p. 221, Publ. Razā Foundation, Lahore)

وَاللَّهُ أَعْلَمُ عَزَّ وَجَلَّ وَرَسُولُهُ أَعْلَمُ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

(Allah Almighty knows best and His Messenger صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ knows best.)

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