

Selling an Item Made from the Sacrificial Animal's Hide

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: We know that we cannot sell the hides of our qurbanī animals. But if one uses the hide of their animal to make shoes or a purse, what is the ruling of selling it?

Answer

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

In the situation in question, making shoes and a purse from the hide of a qurbānī animal and then selling them for money is impermissible.

The detail regarding this is that it is permissible to retain the hide for one's own use or exchange it for something from which benefit can be derived while the item remains intact (such as trading the animal's hide for a book, clothes, or mat), because this is akin to benefitting from the hide itself. However, it is not permissible to exchange it for something from which benefit is obtained by depletion (such as money, food, water, etc.), whether for one's personal benefit or benefit of one's family. This ruling is applicable to whether one trades the hide itself or something which was manufactured from the hide because this constitutes 'disposal with the intention of attaining wealth', which is prohibited with all parts of a qurbānī animal. In the situation in question as well, because the shoes made from the hide are being exchanged for something from which benefit is obtained through expenditure (i.e. money), therefore such an exchange is impermissible. If one has already done this, the proceeds must be given in charity. It is permissible to use the hide of a qurbānī animal or trade it for something from which benefit is derived while the item remains intact. It is stated in *Mabsūt Sarakhsī* and *Hidāyah* (the following is cited from *al-Hidāyah*):

(ويتصدق بجلدها) لأنه جزء منها (أو يعمل منه آلة تستعمل في البيت) كالنطع والجراب والغربال ونحوها، لأن الانتفاع به غير محرم (ولا

بأس بأن يشتري به ما ينتفع بعينه في البيت مع بقاءه) استحساناً، وذلك مثل ما ذكرنا لأن للبدل حكم المبدل

(Al-Hidāyah, Vol. 04, p. 360, Publ. Dār Iḥyā' al-Turās al-'Arabiyy, Beirut)

Sadr al-Sharī'ah, Muftī Muḥammad Amjad 'Alī A'zamī رحمه الله تعالى عليه writes:

قربانی کے چمڑے کو خود بھی اپنے کام میں لا سکتا ہے، یعنی اس کو باقی رکھتے ہوئے اپنے کسی کام میں لا سکتا ہے مثلاً اس کی جانماز بنائے، چھائی، تھلی، مشکیزہ، دستر خوان، ڈول وغیرہ بنائے یا کتاہوں کی جلدوں میں لگائے یہ سب کر سکتا ہے۔ چمڑے کا ڈول بنایا تو اسے اپنے کام میں لائے اُجرت پر نہ دے اور اگر اُجرت پر دے دیا تو اس اُجرت کو صدقہ کرے۔ قربانی کے چمڑے کو ایسی چیزوں سے بدل سکتا ہے جس کو باقی رکھتے ہوئے اس سے نفع اٹھایا جائے جیسے کتاب۔

Translation: One may make personal use of the hide of the qurbānī animal; in other words, one may use the hide for any personal use while retaining it. For example, a prayer mat, sieve, bag, waterskin, tablecloth, or bucket can be made from it, or it can be used for binding books. If one makes a bucket from the hide, he may use it himself, but he may not rent it out. If he does rent it out, he must give the proceeds

in charity. The hide of the qurbānī animal can be exchanged for anything from which benefit is derived while the item itself remains intact, such as a book. (Bahār-E-Sharī‘at, Vol. 03, p. 345-346, Publ. Maktaba-Tul-Madīnah, Karachi) Exchanging the hide of a qurbānī animal for something from which benefit is derived through expenditure is not permissible. It is stated in *Fatāwā ‘Alamgīrī, Radd al-Muḥtār, Badā’i ‘al-Sanā’i*, and other books of fiqh (the following is cited from *Badā’i ‘al-Sanā’i*):

ولا يحل بيع جلدها وشحمها ولحمها وأطرافها ورأسها وصوفها وشعرها وبرها ولبنها الذي يحلبه منها بعد ذبحها بشئ لا يمكن الانتفاع به الا باستهلاك عينه من الدراهم والدنانير والمأكولات والمشروبات

(*Badā’i ‘al-Sanā’i*, Vol. 05, p. 81, Publ. Dār al-Kutub al-‘Ilmiyah, Beirut)

It is impermissible to trade the hide of a qurbānī animal for money or rent it out, as stated by ‘Allāmah Ibn ‘Ābidīn Shāmī رحمه الله تعالى عليه:

وفي الدر المنثور عن الظهيرية: وعمل الجلد جرابا وأجره لم يجز وعليه التصديق بالأجرة

(*Radd al-Muḥtār, Book of Sacrificial Animal, Vol. 06, p. 329, Publ. Dār al-Fikr, Beirut*) ‘Alā Hazrat رحمه الله states:

(قربانی کی کھال کو) باقی رکھ کر یا باقی رہنے والی چیز سے بدل کر اسے کرائے پر نہیں دے سکتا مثلاً کھال کی مشک بنائی یا اس سے کوئی برتن خریدا، اور اس مشک یا برتن کو کرایہ پر دیا یہ ناجائز ہے۔ اس کرائے کو تصدق کرنا ہو گا۔

Translation: Giving the hide of a qurbānī animal on rent or trading it for something from which benefit is derived while the item itself remains intact and then giving that item on rent is not allowed. For example, making a waterskin from it, or exchanging it for a vessel, and then renting either of them out is impermissible. The proceeds must be given in charity.

(*Fatāwā Razawiyah, Vol. 20, p. 492, Publ. Razā Foundation, Lahore*)

Stating the reason for the prohibition, ‘Allāmah ‘Aynī رحمه الله states in *al-Bināyah*

Sharḥ al-Hidāyah:

ای المعنی فی اشتراء ما لا ينتفع به الا بعد استهلاكه انه تصرف على قصد التمول، وهو قد خرج عن جهة التمول، فإذا تمولته بالبيع وجب التصديق؛ لأن هذا الثمن حصل بفعل مكروه، فيكون خبيثا فيجب التصديق

(*Al-Bināyah Sharḥ al-Hidāyah, Vol. 12, p. 54-55, Publ. Dār al-Kutub al-‘Ilmiyah, Beirut*)

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

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

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