

## Zakat (Part II of II)

### Disposal of Zakat

**Issue 1933:** \* Zakat can be spent for the following eight purposes:

- (i) It may be given to poor person, who does not possess actual or potential means to meet his own expenses, as well as that of his family for a period of one year. However, a person who has an art or possesses property or capital to meet his expenses, is not classified as poor.
- (ii) It may be paid to a miskin (a destitute person) who leads a harder life than a Faqir (a poor person).
- (iii) It can be given to a person who is a Wakil of Holy Imam (A.S.) or his representative to collect Zakat, to keep it in safe custody, to maintain its accounts and to deliver it to the Imam or his representative or to the poor.
- (iv) It can be given to those non-Muslims who may, as a result, be inclined to Islam, or may assist the Muslims with the Zakat for fighting against the enemies, or for other justified purposes. It can be given to those Muslims also whose faith in the Prophet or in the Wilayat of Amirul Momineen is unstable and weak, provided that, as a result of giving, their faith is entrenched.
- (v) It can be spent to purchase the slaves to set them free, the details of which have been given in its relevant Chapter.
- (vi) It can be given to an indebted person who is unable to repay his debt.
- (vii) It may be spent in the way of Allah for things which has common benefit to the Muslims; for example, to construct a mosque, or a school for religious education, or to keep the city clean, or to widen or to build tar roads.
- (viii) It may be given to a stranded traveller.

These are the situations in which Zakat can be spent. But in situation number 3 and 4, the owner cannot

spend without the permission of Imam (A.S.) or his representative; and the same applies to the 7th situation, as per obligatory precaution. Rules relating to these are explained in the following articles:

**Issue 1934:** The obligatory precaution is that a poor and destitute person should not receive Zakat more than his expenses and those of his family, for one year. And if he possesses some money or commodity, he should receive Zakat equivalent to the shortfall in meeting his expenses for a year.

**Issue 1935:** If a person had enough amount to meet his expenses for a year, and he spent something out of it, and then doubts whether or not the remaining amount will be sufficient to meet his expenses for one year, he cannot receive Zakat.

**Issue 1936:** An artisan, a land-owner, or a merchant whose income is less than his expenses for one year can take Zakat to meet his annual shortfall, and it is not necessary for him to sell off his tools, property, or spend his capital in order to meet his expenses.

**Issue 1937:** \* A poor person who has no means of meeting his own expenses, and those of his family, for one year, can receive Zakat, even if he owns a house in which he lives, or possesses a means of transport, without which he cannot lead his life, or it may be to maintain his self-respect. And the same rule applies to household equipments, utensils and dresses for summer and winter, and other things needed by him (i.e. he can take Zakat even if he possesses these things). And if a poor person does not have these essential things, he can purchase them from Zakat, if he needs them.

**Issue 1938:** If it is not difficult for a poor person to learn an art, he should not, as an obligatory precaution, depend on Zakat. However, he can receive Zakat as long as he is learning the art.

**Issue 1939:** \* If a person who was poor previously says that he is still poor, Zakat can be given to him, even if the person giving Zakat may not be satisfied with what he says. But if a person was not known to be poor previously, Zakat cannot be given to him, as a precaution, till one is satisfied about his poverty.

**Issue 1940:** If a person says that he is poor, and he was not poor previously, and if one is not satisfied with what he says, the obligatory precaution is that Zakat should not be given to him.

**Issue 1941:** If a Zakat giver is the creditor of a poor person, he can adjust the debt against Zakat.

**Issue 1942:** If a poor man dies, and his property is not as much as it may liquidate his debt, the creditor can adjust his claim against Zakat. And even if his property is sufficient to clear his debt, but his heirs do not pay his debt, or the creditor cannot get back his money for any other reason, he can adjust the debt against Zakat.

**Issue 1943:** It is not necessary for a person who gives Zakat to mention to the poor that it is Zakat. In fact, if the poor feels ashamed of it, it is recommended that he should not mention at all that he has given with the intention of Zakat.

**Issue 1944:** \* If a person gives Zakat to someone thinking that he is poor, and understands later that he was not poor, or owing to his not knowing the rule, gives Zakat to a person who he knows is not poor, it will not be sufficient. Hence, if the Zakat which he gave to that poor still exists, he should take it back from him, and give it to the person entitled to it. And if that thing does not exist, and the person who took it was aware that he was given from Zakat, the Zakat payer should obtain its substitute from him, and give it to the person entitled to it. And if the receiver was not aware that it was Zakat, nothing will be taken from him, and the person who has to pay Zakat will give the substitute from his own property.

**Issue 1945:** A person who is indebted and is unable to repay his debt, can receive Zakat to repay it, even if he has the means to meet his expenses for one year. However, it is necessary that he should not have spent the loan for some sinful purpose.

**Issue 1946:** \* If a man gives Zakat to someone who is indebted and who cannot repay his debt, and understands later that he had spent the loan for sinful purpose, if that debtor is poor, the man can adjust the sum as Zakat given to poor.

**Issue 1947:** If a person is indebted and is unable to repay his debt, although he is not poor, the creditor can adjust against Zakat the amount which that person owes him.

**Issue 1948:** If a traveller is stranded because he has no money left with him, or his means of transport does not function, he can receive Zakat, provided that his journey is not for a sinful purpose, and that he cannot reach his destination by taking a loan or by selling something. He can receive Zakat even if he is not poor in his hometown. But if he can raise money for the expenses of his journey to another place nearby, by borrowing money or selling something, he should take only that much of Zakat, which would enable him to reach that place.

**Issue 1949:** \* If a stranded traveller takes Zakat, and upon reaching his hometown finds that some of it has remained unspent, he should send it back to the giver of Zakat, and if he cannot do so, he should give it to the Mujtahid mentioning that it is Zakat.

## **Qualifications of those Entitled to Receive Zakat**

**Issue 1950:** \* It is necessary that the person to whom Zakat is paid is a Shi'ah Ithna'ashari. If, therefore, one pays Zakat to a person under the impression that he is a Shi'ah, and it transpires later that he is not a Shi'ah, one should pay Zakat again.

**Issue 1951:** If a child or an insane Shi'ah person is poor, a person can give Zakat to his guardian with the intention that whatever he is giving will belong to the child or to the insane person.

**Issue 1952:** If a person has no access to the guardian of the child or of the insane person, he can utilise Zakat for the benefit of the child or of the insane person himself, or through an honest person. And he will do the Niyat of Zakat, when the money has reached for the purpose.

**Issue 1953:** \* Zakat can be given to a poor man who begs, but can not be given to a person who spends it for sinful purpose. In fact, as a precaution, it cannot be given to a poor man who, as a result of receiving, feels encouraged to commit sins, even if he does not spend that sum for sinful purposes. In fact, as a precaution, it cannot be given to a poor man who, as a result of receiving, feels encouraged to commit sins, even if he does not spend that sum for sinful purposes.

**Issue 1954:** \* As an obligatory precaution, Zakat cannot be given to a drunkard, or one who does not offer daily prayers, or one who commits major sins openly.

**Issue 1955:** The debt of a person who cannot repay his debt can be paid from Zakat even if his maintenance is obligatory on the one giving Zakat.

**Issue 1956:** A person cannot pay from Zakat the expenses of his dependents, like, his children. But, if he himself fails to maintain them, others may give them from Zakat.

**Issue 1957:** \* There is no harm if a person gives Zakat to his deserving son for spending on his wife, servant and maid servant.

**Issue 1958:** Father cannot pay for the religious or secular books required by his son for education, from Zakat money, except when public welfare warrants it, and as a precaution, he has sought the permission of the Mujtahid.

**Issue 1959:** \* If a father is not financially capable of getting his son married, he can get him married by spending Zakat, and the son can similarly do so for his father.

**Issue 1960:** \* Zakat cannot be given to a wife whose husband provides for her subsistence, nor to one whose husband does not provide for her subsistence, if it is possible for her to refer to Mujtahid who would compel him to provide.

**Issue 1961:** If a woman who has contracted temporary marriage (Mut'ah) is poor, her husband and others can give her Zakat. But if the contract had a condition that the husband would maintain her for her expenses, or if it is obligatory on the husband for some other reason to maintain her, and he fulfils the obligation, Zakat cannot be given to her.

**Issue 1962:** A wife can give Zakat to her husband who may be poor even if the husband may in turn spend that Zakat for her, being his wife.

**Issue 1963:** \* A Sayyid cannot take Zakat from a non-Sayyid. However, if Khums and other religious dues are not sufficient to meet the expenses of a Sayyid and he has no alternative, he may take Zakat from a non-Sayyid.

**Issue 1964:** Zakat can be given to a person about whom one is not sure whether he is a Sayyid or not.

## Intention of Zakat

**Issue 1965:** \* A person should give Zakat with the intention of Qurbat, that is, to comply with the pleasure of Almighty Allah. And he should specify in his Niyyat, whether he is giving the Zakat on his wealth, or Zakatul Fitra. Also, if it is obligatory on him to give Zakat on wheat and barley, and if he wants to pay a sum of money equal to the value of Zakat, he should specify whether he is paying in lieu of wheat or barley.

**Issue 1966:** \* If a person becomes liable to pay Zakat on various items, and he gives a part of Zakat without making Niyyat of any of those items, if the thing which he has given is of the same class as any one of those items, it will be reckoned to be Zakat on that very commodity. For instance, if it is obligatory on a person to pay Zakat on 40 sheep and on 15 mithqals of gold, and he gives one sheep as Zakat without any specified Niyyat of either, it will be treated to be Zakat on sheep. But if he gives some silver coins or bank notes, which does not belong to either class, as it is neither sheep nor gold, it is a matter of Ishkal and the Zakat will not be considered as paid.

**Issue 1967:** If a person appoints someone as his representative to give away the Zakat of his property, he should, while handing over Zakat to the representative, make Niyyat that whatever his representative will later give to a poor is Zakat. And it is better that his Niyyat remains constant till Zakat reaches the poor.

**Issue 1968:** \* If a person gives Zakat to poor, or to the Mujtahid, without making the Niyyat of Qurbat, it will be accepted as Zakat, although he will have committed a sin for not having the Niyyat of Qurbat.

## Miscellaneous Rules of Zakat

**Issue 1969:** As a precaution, when wheat and barley are separated from chaff, and when dates and grapes become dry, their owner should give Zakat to poor or separate it from his wealth. Similarly, Zakat on gold, silver, cow, sheep and camel should be given to poor, or separated from one's wealth after the expiry of eleven months. However, if he awaits a particular poor person, or wishes to give it to a poor with some excelling virtue, he may not separate the Zakat from his wealth.

**Issue 1970:** It is not necessary that after separating Zakat, a person should pay it at once to a deserving person. But, if a deserving person is accessible, then the recommended precaution is that payment of Zakat should not be delayed.

**Issue 1971:** If a person who could deliver Zakat to a deserving person did not give it, and it was lost due to his negligence, he should give its replacement.

**Issue 1972:** \* If a person who can deliver Zakat to a deserving person, does not do so, and it is lost without his being careless about it, if he had a good reason for the delay, there is no obligation to make

its substitute, like, if he was waiting for a particular poor person, or if he wanted to distribute over many poor people, gradually. But if he had no good reason for the delay, he should give its substitute.

**Issue 1973:** If a person separates Zakat from that wealth on which it had become due, he has the right of disposal over the remaining amount, and if he separates it from his other property, he has the discretion over the entire property.

**Issue 1974:** When a person has separated Zakat from his property, he cannot utilise it and replace it with other payment.

**Issue 1975:** If some profit accrues from the Zakat which a person has set apart – for example, if a sheep which has been ear-marked for Zakat gives birth to a lamb – it belongs to the poor.

**Issue 1976:** If one entitled to Zakat is present when a person separates Zakat from his property, it is better that he should give the Zakat to him, except that he has a person in view who is preferable, for some reason, to receive Zakat.

**Issue 1977:** \* If a person trades with the property set apart for Zakat, without obtaining the permission of the Mujtahid, and sustains a loss, he should not deduct anything from Zakat. However, if he makes a profit, he should give it, as an obligatory precaution, to a person entitled to receive Zakat.

**Issue 1978:** If a person gives in advance to poor, with the Niyyat of Zakat while it has not yet become obligatory on him, it cannot be treated as Zakat. But after Zakat becomes obligatory on him, he can calculate it as Zakat, provided that the thing given is not used up, and that the poor continues to be deserving.

**Issue 1979:** If a poor person knows that Zakat has not become obligatory on a particular person, and takes something from him as Zakat, and it is used up or destroyed while it is with him, he is responsible for it. And when Zakat becomes obligatory on the person, if the poor is still deserving, the Zakat payer can adjust the Zakat liability against what he had already given.

**Issue 1980:** If a poor person did not know that Zakat had not become obligatory on a particular person, and he takes something from him as Zakat and it perishes while it is with him (i.e the pauper) he will not be responsible for it, and the person who gives Zakat cannot adjust it against Zakat

**Issue 1981:** It is Mustahab to give Zakat on cows, sheep and camels to those poor who have integrity; and while giving Zakat he should give preference to his deserving relatives over others. Similarly, he should give preference to the learned persons over those who are not learned, and to those who do not beg over those who beg. But, if giving Zakat to a particular poor is better for some other reason, it is Mustahab that Zakat be given to him.

**Issue 1982:** It is better that Zakat is given openly, and Mustahab Sadaqah are given secretly.

**Issue 1983:** \* If there are no deserving persons in one's hometown, nor can he spend it for any other purpose prescribed for Zakat, and he does not hope that he will be able to find a deserving person later, he should take Zakat to some other town, and spend it for an appropriate purpose. With the permission of the Mujtahid, he can deduct from Zakat the expenses of taking it to the other town, and he will not be responsible if it is lost.

**Issue 1984:** Even if a deserving person is available in the home town of a person, he can take Zakat to another town. However, he will pay himself the expenses of taking it to the other town, and will be responsible if it is lost, except when he takes it with the directive of the Mujtahid.

**Issue 1985:** The charges for weighing and scaling of wheat, barley, raisins and dates, which a person gives as Zakat, are to be paid by him.

**Issue 1986:** If a person has to pay as Zakat 2 mithqals and 15 grams of silver or more, he should not, as a recommended precaution, give less than 2 mithqals and 15 grams to one poor. Also, if he has to pay something other than silver, like wheat and barley, and its value reaches 2 mithqals and 15 grams of silver he should not, as a recommended precaution, give less than that to one poor.

**Issue 1987:** It is Makrooh for a man to request the deserving person to sell back to him the Zakat which he has received from him. However, if the deserving person wishes to sell the thing which he has received after its price has been agreed, the man who has given him Zakat will have the priority over others.

**Issue 1988:** If a person doubts whether or not he gave the Zakat which had been obligatory on him, and the property on which Zakat was due is also existent, he should give Zakat even if his doubts is with regard to Zakat of earlier years. And if the liable property no more exist, no Zakat is due on it even if the doubt relates to Zakat for the current year.

**Issue 1989:** \* A poor man cannot compromise for a quantity less than the quantity of Zakat before having received it, or accept as Zakat something costlier than its actual value. Similarly, the owner cannot give Zakat to a deserving person on a condition that he would return it. However, there is no objection if the deserving poor, after having received the Zakat agrees to return it. For example, a person owes a large sum of Zakat, and because of poverty is unable to pay Zakat, and he repents for not having paid and seeks forgiveness from Allah, the deserving recipient can, of his own pleasure, bestow it back on him after having received it.

**Issue 1990:** \* A person cannot purchase the Holy Qur'an or religious books or prayer books from the Zakat property, and dedicate them as WAQF, except when it becomes necessary for public welfare, and for that also, as an obligatory precaution, he must seek permission from the Mujtahid.

**Issue 1991:** A person cannot purchase property with Zakat and bestow it upon his children or upon persons whose maintenance is obligatory on him, so that they spend its income for their expenses.

**Issue 1992:** \* A person can spend Zakat to go to Hajj, Ziyarat etc. even if he may not be poor, or draw from Zakat an amount equal to his annual expenses, provided that it is in the interest of the public, and if, as a precaution, he has obtained permission from the Mujtahid.

**Issue 1993:** \* If the owner of a property makes a poor man his agent to distribute Zakat of his wealth, and if the poor has a feeling that the intention of the owner was that he himself (i.e. the poor man) should not take anything out of Zakat, he cannot take anything from it for himself. But if he is sure that the owner had no such intention, he can take for himself also.

**Issue 1994:** If a poor man gets camel, cow, sheep, gold and silver as Zakat and if the conditions for Zakat becoming obligatory are fulfilled, he will have to give Zakat on them.

**Issue 1995:** \* If two persons are joint owners of a property on which Zakat has become obligatory, and one of them pays Zakat for his share, and thereafter they divide the property, even if he knows that his partner has not paid Zakat on his share, and is not going to pay it afterwards, there is no objection if he exercises the right of discretion over his own share.

**Issue 1996:** \* If a person owes Khums or Zakat and also owes Kaffara and Nadhr etc., but he is also indebted and cannot make all these payments, and if the property on which Khums and Zakat has become obligatory has not been used up, he should give Khums and Zakat, and if it has been used up, the debt, Zakat and Khums will have priority over Kaffarah and Nadhr.

**Issue 1997:** \* If a person owes Khums or Zakat and has an obligation of Hajj and is also indebted, and he dies, and his property is not sufficient for all these things, if the property on which Khums and Zakat become obligatory has not ceased to exist, Khums or Zakat should be paid and the balance should be spent on repaying the debt. And if the property on which Khums and Zakat became obligatory has ceased to exist his property should be spent to pay his debt, and if anything remains it should be spent on Hajj. If there is still an excess, then it must be divided between Khums and Zakat.

**Issue 1998:** \* If a person is acquiring knowledge and as an alternative he can earn his livelihood, Zakat can be given to him if acquiring that knowledge is obligatory. And if acquiring that knowledge is in the public interest, he can be given Zakat with the permission of the Mujtahid, as a precaution. In the absence of these two circumstances, it is not permissible to give him from Zakat.

## **Zakat of Fitrah**

**Issue 1999:** \* At the time of sunset on Eid ul fitr night (i.e. the night preceding Eid day), whoever is adult and sane and is neither unconscious, nor poor, nor the slave of another, he should give, on his own behalf as well as on behalf of all those who are his dependents, about three kilos per head of wheat or barley or dates or raisins or rice or millet etc. It is also sufficient if he pays the price of one of these items in cash. As per obligatory precaution, he should not give from that food which is not staple in his place,

even if it be wheat, barley, dates or raisins.

**Issue 2000:** If a person is not in a position to meet his own expenses, as well as those of his family, for a period of one year, and has also no one who can meet these expenses, then he is a poor person, and it is not obligatory on him to pay Zakat of fitrah.

**Issue 2001:** One should pay Fitrah on behalf of all those persons who are treated as his dependents at his house on the nightfall of Eid ul fitr, whether they be young or old, Muslims or non-Muslims; irrespective of whether or not it is obligatory on him to maintain them, and whether they are in his own town or in some other town.

**Issue 2002:** If a person appoints his dependent who is in another town, to pay his own fitrah from his property, and is satisfied that he will pay the fitrah, it will not be necessary for the person to pay that dependent's fitrah.

**Issue 2003:** \* It is obligatory to pay the fitrah of a guest who arrives at his house before sunset on Eid ul fitr night, with his consent, and he becomes his temporary dependent .

**Issue 2004:** The fitrah of a guest who arrives at his house on the night of Eid ul fitr before sunset, without his consent, and stays with him for some time, is also, as per obligatory precaution, wajib upon the host. Similarly, if he is forced to maintain someone, his fitrah will also be obligatory upon him.

**Issue 2005:** If a guest arrives after sunset on Eid ul fitr night, and is considered to be dependent upon the master of the house, payment of his fitrah is obligatory on the master of the house, as an obligatory precaution; but otherwise it is not obligatory, even if he may have invited him before sunset and may have broken his fast at his house.

**Issue 2006:** If a person is insane at the time of sunset on the night of Eid ul fitr, and his insanity continues till Zuhr on Eid ul fitr, it is not obligatory on him to pay the fitrah. Otherwise it is necessary for him as an obligatory precaution to give fitrah.

**Issue 2007:** \* If a child becomes baligh, or an insane person becomes sane, or a poor person becomes self sufficient during sunset, and satisfies the conditions of fitrah becoming obligatory on him, he should give fitrah.

**Issue 2008:** If it is not obligatory on a person to pay fitrah at the time of sunset on the night of Eid ul fitr, but necessary conditions making fitrah obligatory on him develop before Zuhr on Eid day, the obligatory precaution is that he should pay fitrah.

**Issue 2009:** If a non-Muslim becomes a Muslim after the sunset on the night of Eid ul fitr, it is not obligatory on him to pay fitrah. But if a Muslim who was not a Shi'ah becomes a Shi'ah after sighting the moon, he should pay fitrah.

**Issue 2010:** \* It is Mustahab that a person who affords only one sa'a (about 3 kilos) of wheat etc. should also pay fitrah. And if he has family members and wishes to pay their fitrah as well, he can give that one sa'a to one of his family members with the intention of fitrah and that member can give it to another family member, and so on, till the turn of the last person comes; and it is better that the last person gives what he receives to a person who is not one of them. And if one of them is a minor, his guardian can take fitrah on his behalf, and the precaution is the thing taken for the minor should not be given to anyone else.

**Issue 2011:** If one's child is born after the sunset on the night of Eid ul fitr, it is not obligatory to give its fitrah. However, the obligatory precaution is that one should pay the fitrah of all those who are considered one's dependents after sunset, till before the Zuhr of Eid.

**Issue 2012:** \* If one who was dependent of a person, and becomes dependent of another before sunset, fitrah is obligatory on the other person whose dependent one has become. For example, if one's daughter goes to her husband's house before sunset, her husband should pay her fitrah.

**Issue 2013:** If the fitrah of a person is obligatory on another person, it is not obligatory on him to give his fitrah himself.

**Issue 2014:** \* If it is obligatory on a person to pay the fitrah of another person, but he does not pay it, its payment will be, as an obligatory precaution, obligatory on the latter. So, if all the conditions mentioned in rule 1999 are fulfilled, he must pay his own fitrah.

**Issue 2015:** If it is obligatory on a person to pay the fitrah of another person, his obligation will not end if the latter himself pays his own fitrah.

**Issue 2016:** In the case of a wife who is not maintained by her husband, is she is dependent upon someone else, that person will have to pay her fitrah. But if she is not dependent on anyone else, she will pay her own fitrah if she is not poor.

**Issue 2017:** A person, who is not a Sayyid, cannot give fitra to a Sayyid, and if that Sayyid is his dependent, he cannot give to another Sayyid either.

**Issue 2018:** The fitrah of a child who sucks the milk of its mother or a nurse, is payable by one who bears the expenses of the mother or the nurse. But, if the mother or the nurse is maintained by the property of the child itself, payment of fitrah for the child is not obligatory on any one.

**Issue 2019:** Even if a person maintains the members of his family by haraam means, he should pay their fitrah out of halal property.

**Issue 2020:** \* If a person employs someone like a carpenter, or a servant, and agrees to maintain him fully, he should pay his fitrah as well. But if he agrees that he would pay him for his labour, it is not obligatory on him to pay his fitrah.

**Issue 2021:** \* If a person dies before sunset on the night of Eid ul fitr, it is not wajib to pay his fitrah or that of his family, from his estate. But if he dies after sunset, it is commonly held that fitrah will be obligatory, but it is not devoid of Ishkal. However, it is better to act on precaution, and pay his fitrah as well as that of his family.

## Disposal of Fitra

**Issue 2022:** \* As an obligatory precaution Fitrah should be paid to Shiah poor only, who fulfil the conditions mentioned for those who deserve receiving Zakat. But if there is no deserving Shiah in one's hometown, it can be given to other deserving Muslims. But in no circumstances should Fitrah be given to Nasibi – the enemies of Ahlul Bait (A.S)

**Issue 2023:** If a Shiah child is poor, one can spend fitrah on him, or make it his property by entrusting it to its guardian.

**Issue 2024:** \* It is not necessary that the poor to whom fitrah is given should be Adil (a just person). But, as an obligatory precaution, fitrah must not be given to a drunkard, or one who does not offer his daily prayers, or commits sins openly.

**Issue 2025:** Fitrah should not be given to a person who spends it on sinful acts.

**Issue 2026:** \* The recommended precaution is that a poor person should not be given fitrah which is less than a sa'a (about 3 kilos). However, there is no harm if more than that is given to him.

**Issue 2027:** \* When the price of a superior quality of a commodity is double that of the ordinary, like, when the price of a particular kind of wheat is double that of the price of its ordinary kind, it is not sufficient to give half a sa'a of the wheat of superior quality as fitrah. Also, it is not sufficient if the value of half a sa'a is given with the Niyyat of fitrah.

**Issue 2028:** One cannot give as fitrah, half a sa'a of one commodity (eg. wheat) and half a sa'a of another commodity (eg. barley), and if he gives these with the Niyyat of paying the price of fitrah even then it is not sufficient.

**Issue 2029:** \* It is Mustahab that while giving Zakat of fitrah, one should give preference to one's poor relatives and neighbours, and then to give preference to the learned persons over others.

**Issue 2030:** \* If a man gives fitrah to a person thinking that he is poor, and understands later that he was not poor, and if the property which he gave to him has not ceased to exist, he should take it back from him, and give it to a person who deserves. But if he cannot take it back from him, he should replace it from his own property. And if what he gave as fitrah is used up, and the person who took fitrah knew that he had received fitrah, he should give its substitute, but if he did not know it, it is not obligatory on him to give substitute, and the man who gave fitrah should give it once again.

**Issue 2031:** \* If a person claims to be poor, fitrah cannot be given to him unless one is satisfied with his claim; or, if one knows that the claimant has been poor previously.

## Miscellaneous Matters Regarding Fitrah

**Issue 2032:** \* One should give fitrah with the Niyyat of Qurbat, that is, to fulfil the orders of Almighty Allah, and should intend to be giving fitrah at the time of disposal.

**Issue 2033:** \* It is not correct to give fitrah before the month of Ramadhan, and it is better that it should not be given even during the month of Ramadhan. However, if a person gives loan to a poor person before Ramadhan, and adjusts the loan against fitrah, when payment of fitrah becomes obligatory, there is no harm in it.

**Issue 2034:** \* It is necessary that wheat or any other thing which a person gives as fitrah is not mixed with another commodity or dust, and if it is mixed, but in its pure form it equals a sa'a (about 3 kilos) and the quantity of the thing mixed with it is negligible or usable, there is no harm in it.

**Issue 2035:** If a person gives fitrah from a thing which is inferior or defective, it will not be sufficient.

**Issue 2036:** If a person gives fitrah on behalf of a number of persons, it is not necessary for him to pay all from the same commodity. For example, if he gives wheat as fitrah of some of them and barley for others, it is sufficient.

**Issue 2037:** If a person offers Eid ul fitr prayers, he should, on the basis of obligatory precaution, give fitrah before Eid prayers. But if he does not offer Eid prayers, he can delay giving fitrah till Zuhr.

**Issue 2038:** If a person sets aside fitrah from his main wealth, and does not give it to a person entitled to receive it till Zuhr of Eid day, he should make Niyyat of fitrah as and when he gives it.

**Issue 2039:** If a person does not give fitrah at the time when its payment becomes obligatory, and does not also set it aside, he should give fitrah later on the basis of precaution, without making the Niyyat of ada or qadha.

**Issue 2040:** If a person sets aside fitrah, he cannot take it for his own use, and replace it with another sum or thing.

**Issue 2041:** If a person possesses wealth whose value is more than fitrah, and if he does not give fitrah but makes a Niyyat that a part of that wealth is for fitrah, it is a matter of Ishkal.

**Issue 2042:** \* If the thing set aside for fitrah is lost, he should replace it if a poor person was available, and the fitrah giver delayed giving it, or, he failed to look after it properly. But, if a poor person was not available, and he cared for it properly, he is not responsible to replace it.

**Issue 2043:** If a deserving person is available in the hometown of a person, the obligatory precaution is that he should not transfer the fitrah to some other place, and if he does and it is lost, he should give its replacement.

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