

Zakāt on Diamonds and Jewelry♦

Diamonds, jewelry and other precious stones are highly valuable. The motive of their purchase and possession may be different for different persons. Hence, with the change in conditions, the injunction should also change. The Fifth Fiqh Seminar reached to the following conclusions in this regard.

- 6.1 *Zakāt* on the diamonds, etc. will be obligatory on the purchaser if purchased for commercial purposes.
- 6.2 *Zakāt* will not be due on diamonds purchased for using as ornaments.
- 6.3 A small diamond is much costlier than even gold and some people purchase them to convert their wealth and thus preserve their cash for certain consideration. These diamonds can be readily cashed at the jewelers' shops and often they fetch higher price than their purchase price. Therefore, they are not only the means of preservation of wealth but a means of profitability as well.

This aspect of the issue also came under deliberation at the Seminar that a cash amount of millions of rupees can not only be preserved through purchase of some diamonds but they can be again converted into ready cash anytime.

- A. The first opinion was that diamonds are not vestigial items like gold or silver, nor the purchaser trades in jewels, nor he has the intention of its trade at the time of purchasing nor has any intention of making it a commercial commodity, hence, it does not fall in the category of *Naami*. Therefore, under such conditions *Zakāt* will not be obligatory on the possessor.
- B. The second argument was that diamonds are not considered as a necessity of life but a means of preserving the accumulated wealth and a means of profit as well. Therefore, *Zakāt* will be obligatory on these diamonds.
- C. Keeping in view all the arguments many participants opined that under the former condition *Zakāt* is not obligatory. But an equally large number of participants argued that non-obligation of *Zakāt* on this hoarded

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wealth will deprive the poor of their share of income and insisted on *Zakāt* being obligatory on diamonds.

¹ Ml. Qazi Mujahidul Islam Qasmi, Ml. Tayyab-ur Rahman, Ameer-e-Shariah Assam, *Mufti Aziz-ur Rahman*, Mumbai, Ml. Aijaz Ahmed Azmi, Ml. Mujeebullah Nadvi, Ml. Shams Peerzada, Mumbai, Ml. Anees-ur Rahman Qasmi, Patna, Ml. Abdur Raheem, Bhopal, *Mufti Abdul Rahman*, Delhi, Ml. Zubair Ahmad Qasmi, Sitamarhi favoured payment of *Zakāt*.

² Ml. Burhanuddin Sambhali, Lucknow, Ml. Habib-ur Rahman Khairabadi, Deoband, Ml. Nematullah Qasmi, Deoband, Ml. Obaidullah Asadi, Banda, Ml. Khalid Saifullah Rahmani, Hyderabad, Mufti. Naseem Ahmed Qasmi, Patna, Ml. Sadrul Hasan Nadvi, Aurangabad, Ml. Mohiuddin, Gujarat, and others not favoured payment of *Zakāt*.