

Zakāt on Prohibited Sums (*Māl-e-Harām*)♦

In the modern times the Muslims may add to their wealth and property such amounts, which are consciously or unconsciously earned from non-permitted means. At some stage the person concerned may realise the obligation to pay *Zakāt* of that amount and feels perplexed whether it would be permitted to disburse *Zakāt* of the amounts earned by some malpractice prohibited in Islam. Therefore, the participants of the Fifth Seminar of IFA resolved the following on the matter.

- 12.1 16.1 If some ill-gotten amount or valuable thing (*Māl-e-Haram*) comes into one's possession, and if it is intact as it was, and also if the real owner of this Amount (*Māl*) is known, it is obligatory to return this amount or valuable thing to its real owners.
- 12.2 If the quantity of Prohibited Sums (*Māl-e-Harām*) is not definitely known, its quantity should be fixed to the best of knowledge and assessment. It should be returned to its real owner. In case the owner is unknown, it should be given as alms without any expectation of recompense from Allah.
- 12.3 If the owner of *Harām Māl* has become known and its return has become obligatory but is not returned and kept in one's own possession, and also if there is nobody to claim its ownership, in such a case not only *Zakāt* on this *Harām Māl* becomes obligatory on the person, he will also have to give away this *Māl* as alms without expecting any recompense from Allah.
- 12.4 Basically such ill-gotten acquisition (*Māle-e-Harām*) should be returned to the owner. If the owner is not known it should be given away as alms without expecting any recompense. If the *Harām* and *Halāl Māl* become intermingled, the estimated *Harām Mal* should not only be given away as alms but *Zakāt* should also be paid on it. This is to discourage the acquisition of ill-gotten wealth.

♦ 5th Fiqhi Seminar (Jamiatur Rashad Azamgarh) 30 Oct, 1-2 Nov 1992.