

## Uloom ul Fiqh

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فجزاكم الله خيرا

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Askislampedia ki Team ka shukriya ke Roman mai book lane mai madad faramee

Khas tour se

Riaz bhai , shaikh abdullah Umeri, faheem iqbal , Mushtaq ahmed Aur baz sisters bhi hain jo madad kie Aur kuch brothers bhi madad kie Likin ijazat nahi hai ke unka naam zikr Kia jae Allaah qabool farmae sab ki mahant

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Ameen

Shukriya

Shoba e nashro ishaat,

Askislampedia

Pas saabit ho gaya ke: “-----“ vaali hadees sanad aur matan ki aitebaar se bhi sahih nahi hai, fir to ye baa tab mukammil tour par vaazeh ho gayi ke is baatil hadees ko kitab va sunnat par amal paira

hone ki raah me rukaavat banana jaayez nahi hai aur ulama ikraam ne kitab va sunnat hi par amal karne ka hukum bhi diya hai.

2) Doosra Shubah:

Aur kuch deegar noujawaan ne kaha ke jab deen me ikhtelaaf karne ki mamaaniyat aayi hai, to sahaaba ikraam aur unke baad ke ulama e deen ke darmiyaan jo ikhtelaaf vaakhai hua uske mutalluq aap kya kahenge? Kya sahaaba ke darmiyaan vaakhai ikhtelaaf aur unke baad aane vaalon ke baaham ikhtelaaf me koyi farq hai?

1. Pahla to sabab ikhtelaaf ke aitebaar se
2. Doosra is ikhtelaaf ke aasaar va natayej ke aitebaar se

Chunache sahaaba ikraam ke darmiyaan jo ikhtelaaf vaakhai hua vo ikhteyaari va iraadi nahi balke izteraari tha, kyu ke unki samajh me ikhtelaaf vaakhai hona ek fitri baat thi aur is amr fitri ke alaava unke zamaane me aur bhi deegar cheezen thi jo unke darmiyaan ikhtelaaf ka sabab nahi, magar vo cheezen sahaaba ke baad ke zamaano me khatam ho gayi aur sahaaba ikraam ke jaise ikhtelaaf se mukammil tour par chutkaara mumkin bhi nahi. Aur qisam ka ikhtelaaf karne vaala mazammat va malaamat ka mustahaq nahi hai, jiska guzishta aayat aur un jaisi deegar aayat me zikar aaya hai. Kyu ke Allaah taala ke yahaan ikhtelaaf karne par mavakhiza aur giraft ki shart ye hai ke insan qasadan ikhtelaaf karke adaa rahe.

Lekin ghaaliban jo ikhtelaaf muqallideen ke darmiyaan paaya jaata hai uska unke paas koyi uzur nahi kyu ke unme se baaz to aise hai ke Quraan va Hadees se vaazeh tour par daleel milne aur ye maaloom hone ke bavajood ke ye daleel to unke mazhab ke alaava doosre mazhab ki taayeed karti hai, is daleel ko mahaz isliye chod dete hai ke ye unke mazhab ke khilaaf hai, goya unka mazhab hi unke nazdeek asal

hai, ya unka mazhab hi vo deen hai jise Muhammad ﷺ lekar aaye aur raha doosre ka mazhab to vo doosra deen hai, jo mansookh ho chukka hai.

Aur baaz muqallideen ka tareeqekaar iske bilkul bar aks hai, kyu ke unki raai va khayaal me ye saare mazahib apne vasee tar ikhtelaafaat ke bavajood mutaaddid shariyaton ki maanind hai. Chunache ulama muqallideen me se baaz mutaaqareen ne ba saraahat kaha hai ke isme koyi harj nahi ke musalmaan in mazaahib me se jise chahe ikhteyaar kare aur jise chahe tark kare, kyu ke ye sab alag alag shariyaten hai.

Muqallideen ke ye dono groh khud ko ikhtelaaf par baakhi rakhne ke liye is baatil Hadees “-----” ko daleel me pesh karte hai. Hamne baarah is Hadees se istedlaal karte suna hai.

Aur baaz log mazkooorah baala Hadees ka maana ye bayaan karte hai ke masayel me ikhtelaaf isliye rahmat hai ke is me ummat ke liye aasmaani aur vasaat hai, magar ye maanaa guzishta aayaat ki saraahat aur ayimma ikraam ke sabiqah aqvaal ke maqsad va mazmoon ke khilaaf hai isi liye baaz ayimma se khule bando is maanaa ki tardeed manqool hai. Chunache Ibn ul Qasim ne farmaya ke maine imaam maalik aur imaam lais ko ye ye kahte suna hai ke sahaaba ikraam ka deeni masayel me ikhtelaaf aasani aur vasaat ka sabab nahi hai, jaisa ke log kahte hai, balke unke ikhtelaafaat ghalat hai ya saheeh.

Aur ----- ka bayaan hai ke Imaam Maalik se poocha gaya ke agar kisi shakhs ko sahaaba ikraam ke aqvaal siqa aadmi ki rivaayat se mile to kya iske liye ye gunjaish hai ke jis qoul par chahe amal karen? To Imaam Maalik ne farmaya: Allaah ki qasam nahi ! Illa ye ke vo haq ho, haq ek hi hoga, kya do muqtaarif aur mutazaad qoul haq ho sakte hai? Haq va sawaab to ek hi hoga.

Imaam Shafayi ke shaagird Imaam Mughni ne farmaya:

Sahaaba ikraam Razi Allaahu Anhum ke darmiyaan masayel me ikhtelaafaat hue aur baaz ne baaz par ta'aaqub va tanqeed se kaam lekar ek doosre ki tardeed ki, haalan ke agar unki har baat haq va sawaab hoti to unhone har giz aapas me ek doosre ka radd na kiya hota, Umar Farooq razi Allaahu Anhu Abi Bin Kaab aur Ibne Masood Razi Allaahu Anhu ke ek kapde me namaz padhne me ikhtelaaf karne par barham ho gaye, Abi Bin Kaab ka kahna tha ke ek kapde me namaz ada karne me koyi harj nahi aur Ibne Masood kahte the ke ye us waqt ki baat thi jab kapdon ki kami thi, Umar Farooq gusse me baahar aaye aur farmaya: Sahaaba ikraam me do aise shakhs ne aapas me jhagda kiya hai jinhe log ba nazar ihteraam dekhte aur unse deeni masayel agz karte hai. Abi Bin Kaab ka kahna saheeh hai aur Ibne Masood ne bhi koyi taqseer nahi ki lekin aaj ke baad agar maine fir kisi ko is baare me ikhtelaaf karte paaya to use sakht saza doonga.

Aur Imaam Mughni ne ye bhi farmaya:

Jo shakhs ikhtelaaf ko jaayez samjhe aur ye kahe ke do aalim jab kisi vaakhiye me ijtehaad se kaam le aur un dono me se ek use halaal kahe aur doosra haraam to vo dono is ijtehaad me haq par samjhe jaayenge. To is se ye poocha jaayega ke tum ye kis sharayi bunyaad par kah rahe ho yak is khiyaas ki bina par, agar vo kahe ke mai ye baat sharayi bunyaad par kah raha hoon to us se kaha jaayega ke ye kaise sharayi bunyaad ho sakti hai jabke Quraan e Kareem ikhtelaaf karne se rokta hai, aur agar kahe ke maine ye baat khiyaas ki bunyaad par kahi hai to is se kaha jaayega ke bhala ye kaise ho sakta hai ke usool shariyat to ikhtelaaf ki tardeed karen aur tum unhi usool par ikhtelaaf ke javaaz ka khiyaas karo. Is baat ko Aalim kya koyi maamooli samajh ka aadmi bhi jaayez nahi kahega.

Agar koyi kahe ke Aap ne Imaam Maalik se jo ye naqal kiya hai ke: Haq ek hi hoga, mutaaddid nahi ho sakta to iske khilaaf bhi Imaam Maalik ka ek qoul ustaaz zarqa ki kitab “----- (1/89)” me ye manqool hai ke:

Abu Jaafar Mansoor aur iske baad Haroon Rasheed ne qasad kiya ke mazhab Imaam Maalik aur unki kitab muvatta ko abbasi hukumat ka adaalati khanoon qaraar de to Imaam Maalik ne un dono ko is qasad ---- se manaa farmaya aur kaha ke sahaaba ikraam ne ----- masayel me ikhtelaaf kiya aur vo muqtaarif mumaalik aur shaharon me phail gaye aur vo sab haq par hai.

To mai kahoonga ke Imaam Maalik ka ye bada maarooft va mashoor qissa hai, lekin iske aakhir me unki is baat ko ke “saare sahaaba haq par hai” maine apne ilm ki had tak kisi kitab me nahi paaya. Haan albatta ek rivaayat Abu Nayeem ----- ne ----- (6/332) me apni sanad se naqal ki hai magar is sanad me Muqdaam bin Dawood naami shakhs hai jise Imaam Zahabi ne apni ziyaafa me zikar kiya hai, mazeed baraan ye ke is rivaayat me “saare sahaaba haq par hai” ke bajaaye “saare sahaaba apne khayaal va gumaan me haq par hai” hai. Pas is se maaloom hua ke kitab Al Mudkhal ki rivaayat khaana saaz va man gadhat hai aur aisa is liye bhi hai ke ye rivaayat Imaam Maalik se is rivaayat ke: “Haq ek hi hai mutaaddid nahi ho sakta” ke khilaaf hai jise siqaat ne inse rivaayat ki hai jaisa ke iska bayaan is se pahle ho chukka hai. Aur yahi saare ayimma yaani sahaaba va taabeyeen, ayimma arbaa aur deegar mujtahideen ka mazhab hai.

Allaama Ibne Abdul Birr (2/88) ne farmaya:

Agar do muqtaarif aur mutazaad aqvaal duroost hote to salaf baaham ek doosre ke ijtehaad aur faisle va fatavon ki tardeed na kiye the. Aur aqal bhi ise gavara nahi karti k eek cheez aur uski sanad dono hi duroost ho, kisi shayar ne sach kaha hai:

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Do mutazaad cheezon ko ba ek waqt saabit karna mahaalaat ke pesh karne ki qabeeh tar soorat hai.

Agar kaha jaaye ke jab mazkoorah baala rivaayat ki nisbat ka Imaam Maalik ki taraf baatil hona saabit ho gaya to fir aakhir Imaam Maalik ne Abu Jafar Mansoor ko muvatta par logon ko jamaa karne se manaa kyu kar diya aur unki pesh kash ko qubool kyu na farmaya?

To mai kahoonga sab se achchi mujhe jo rivaayat mili hai uska zikar Hafiz Ibne Kaseer ne "Ikhtesaar Uloom ul Hadees" page 31 me kiya hai ke Imaam Maalik ne Abu Jafar Mansoor ke jawaab me kaha ke: Logon ne Hadeesen ikaththa ki aur inhe aisi Hadeesen mili jo hame na mil saki.

Hafiz Ibne Kaseer kahte hai ke ye Imaam Maalik ka kamaal ilm va insaaf hai.

Pas ye saabit ho gaya ke ikhtelaaf saara ka saara shar hai rahmat nahi, albatta unme se baaz ikhtelaaf par insan ki Allaah ke yahaan giraft hogi jaise mutaasibeen mazahib ka ikhtelaaf. Aur baaz ikhtelaaf qaabil mavakhiza aur giraft nahi jaise sahaaba ikraam aur unke naqshe khadam par chalne vaale ayimma Islam ka ikhtelaaf, Allaah Taala hamara hashar unke zimme me kare aur hame unki itteba ki toufeeq arzaani farmaaye.

Baharhaal ye saabit ho gaya ke sahaaba ka ikhtelaaf aur hai aur muqallideen ka ikhtelaaf kuch aur. Jiska khulaasa ye hai ke sahaaba ikraam ka ikhtelaaf izteraar aur majboori ka tha isi liye vo logon ko ikhtelaaf se rokthe aur hattal imkaan is se khud bhi door rahne ki koshish karte. Magar rahe ye muqallid hazraat to unke liye ye mumkin hai ke masayel ikhtelaaf k eek bade hisse se ----- kar len, lekin ye na to ittefaaq ki raah ikhtiyaar karte hai aur na iski koshish hi karte hai. Balke

ye ikhtelaaf ko bar haq batate hai. Pas ye sahaaba ikraam aur muqallid hazraat ke ikhtelaaf ke darmiyaan kisi qadar tafavut aur doori hai. Sahaaba ikraam aur ayimma e deen ke ikhtelaaf me natayej aur auqab ke aitebaar se farq aur bhi vaazeh hai, kyu ke sahaaba ikraam raziallaahuanhum fardi masayel me baaham ikhtelaaf ke bavajood ittefaaq va ittehaad bahami par shiddat se muhafizat karte aur is cheez se mukammil tour par doori ikhtiyaar karte jo unme tafreeq aur unki safon me khaaf shaar paida kare, chunache sahaaba ikraam me baaz hazraat namaz me bismillah hirrahmaan nirraheem ko ba aawaaz buland kahne ke qaayal the aur baaz iske aahista yaani bila aawaaz kahne ke, isi tarah inme aise bhi the jo namaz me ----- ke khaayel the aur unme aise log bhi the, jo use sahih nahi samajhte the aur unme aise log bhi the jinka kahna tha ke aurat ke choone se vazoo toot jaata hai aur baaz deegar iske muqaalif the. Taaham masayel me in saare ikhtelaafaat sahaaba ke ikhtelaaf ke bilkul ulta hai, chunache muqallideen ke ikhtelaaf ka asar ye hai ke musalman namaz jaise azeem rukun me bhi ikhtelaaf va inteshaar k aka shikaar hai ke jiska islam me kalime laa ilaaha illallah muhammadur rasoolullah ke baad sab se bada darja hai. Kyu ke ham me se bahut saare logon ne ye suna aur dekha bhi hai ke miqallid hazraat ijtemaayi tour par kisi ek imaam ke peeche namaz padhne par raazi nahi hote kyu ke vo kahte hai ke aise imaam ki namaz baatil ya kamaz kam makrooh hoti hai jo hamare mazhab ka pairon nahi hai. Aur choonke ye unki baaz mashoor zamane fiqh mazaahib ki kitabon me likha hua hai isliye unhe aisa kahne ka haq bhi pahunchta hai. Aur isi ikhtelaaf ka ye nateeja hai ke aap ko ek hi jaame masjid me chaar mehraaben milengi, jahaan chaaron mazhab ke imaam mile baad deegarenamaz padhate hai, ek imaam apne mazhab vaalon ko namaz padha raha hota hai magar doosre mazhab vaale apne imaam ki aamad ke intezaar me hote hai.

Yahi nahi balke baaz muqallideen ke yahaan ye ikhtelaaf aur bhi sakht soorat ikhtiyaar kar gaya hai, masalan vo kahte hai ke hanfi mard ki shafayi aurat se shaadi jaayez nahi, fir iske baad hanfiyon ke mash'hoor mufti – jinka laqab “Mufti al saqlain” yaani ins va jinn ke mufti hai, ne fatwa saadir farmaya, jisme unhone hanfi mard ki shaadi shafayi aurat se jaayez qaraar dee aur iska sabab ye bataya ke “shafayi aurat ka darja yahood va nasaar ki auraton ka darja hai”, is ibaarat ka mafhoom muqaalif ye hai aur mafaahem kutub hanfi ke yahaan motabar hai ke shafayi mard ki hanfi aurat se shaadi jaayez nahi hogi jis tarah kisi yahoodi ya nasraani mard ki shaadi kisi musalman aurat se jaayez nahi hai.

Ye do misaalen thi, aur iske alaava deegar bahut saari misalen hai jo ek aqal mand insan ko is baat ka pata deti hai ke mutaaqareen ke ikhtelaaf aur is par unke israar ke bade bade nataaयेज va asraat zaahir hue, iske bar aks salaf saleheen ke baaham ikhtelaaf ka ummat par koyi asar nahi pada, isiliye vo in aayaat se bari hai, jinme ikhtelaaf fiddeen se manaa kiya gaya hai, iske bar aks masaquireen to vo in aayaat ke misdaaq hai, Allaah Taala ham sab ko seedhe raah gaamzan farmaaye.

Aur kaash in muqallideen ke ikhtelaaf ke nuqsaanaat sirf musalmano tak hi mahdood va munhasir rahe hote to maamla kuch aasaan hota magar afsos ke bahut saare mulkon me taqleedi nuqsaanaat musalmano ki hudood se tajaavuz karke ghair musalmano tak pahunch chuke hai, chunache in ke baaham ikhtelaafaat ghair musalman ke joukh dar joukh halqa bagosh islam hone me sad raah bane rahe. Chunache ustaaz Muhammad Al Ghazali ki kitab Zaalim Al Gharab, page 200 me yoon tahreer hai.

America ki barneston university me munaqqida conference me kisi ne ye sawaal uthaaya aur ye sawaal mustashriqeen aur islamiyat se dilchaspi rakhne vaalon ke darmiyaan aaye din uthta rahta hai ke



musalman duniya ke saamne kounsi taaleemaat pesh karenge. Unhen us islam ki nishaan deshi aur taayyun karni chahiye jiski vo daawat dena chahte hai, aaya vo in islami taaleemaat ko pesh karenge jo sunniyon ke nuqte nazar ke mutabiq hai ya un taaleemaat ko jinke islami hone ke shubah yaani -----.

Fir inme se har firqa aapas me bhi ----- hai. Inme ek jamaat agar taraqqi pasand nuqte nazar se sochti hai to doosri ko apni khidaamat pasandi par israar hai.

Khulasa ye ke ye daayiyaane islam madaveen ko gardaab hairat me dale hue hai kyu ke vo khud hi -----gardaan hai.

Aur Allaama Muhammad Sultan Maasoomi Rahimahullah ke risala “-----“ ke muqaddame me tahreer hai:

Mashriq aqzi jahaan ke shouhar ----- aur ausaka ke musalmano ki taraf se mere paas ek sawaal aaya tha, jiska khulasa ye hai:

Deen e islam ki haqeeqat kya hai, fir mazhab ka kya maana hai, kya jo mazhab islam qubool karle uske liye zaroori hai ke chaaron mazaahib maaliki, hanfi, shafayi, hambali vaghairah me se kisi ek mazhab par rahe, ya ye zaroori nahi hai?

Kyu ke yahaan to ek azeem ikhtelaaf aur nihaayat nuqsaan deh jhagda us waqt vaakhayi hua jab baabooniya ke chand khule zahan ke logon ne islam me daakhil hokar mushrifana eemaan hona chaha, unhone apne is maamle ko jab Tokyo ki “-----“ ke saamne rakha to hindustaniyon ki ek jamaat ne kaha ke in par farz hai ke imaam abu haneefa ka mazhab ikhtiyaar karen, kyu ke vo ummat ke chiraagh the, aur Indonesia ki ek jamaat ne kaha ke in par laazim hai ke shafayi bane.

Japaniyan ko unki baaten sunkar bada taajjub hua aur vo apne maqsad me hairat zadah hokar rah gaye, chunache mazahib arbaa ka maamla unke mushraf ba islam hone ki raah me rukaavat ban gaya.

(3) Teesra Shubah: Aur kuch logon ka gumaan hai ke ye aap log jo itteba sunnat aur ayimma ikraam ke muqalif sunnat aqvaal ke tark kar dene ki daawat de rahe hai iska maana to ye hua ke ayimma ikraam ke aqvaal aur unke ijtehaadaat va aara se istefaada karna mutallaqqa tark kar diya jaaye.

Jawaab: Mai kahta hoon ke ye gumaan bayed az sawaab hi nahi balke iska batlaana bilkul zaahir va baahar hai, jaisa ke meri guzishta tahreeron se ye baat bikul vaazeh aur iyaan hoti hai kyu ke vo sab ki sab is gumaan baatil ke bilkul bar aks hai. Hamari daawat to sirf ye hai ke mazahib ko deen na bana liya jaaye aur na hi unhe Quraan aur Hadees ka darja diya jaaye ke jab bhi koyi tanaazoo vaakhai ho ya pesh aamadah vaardaat me naye ahkaam ke istenbaat ka mouqa ho to unhe mazahib hi ki taraf rujoo kiya jaaye, jaisa ke maujooda zamane ke fuqaha ka tareeqa hai ke unhone personal naye ahkaam aur nikah va talaaq vaghaira masayel ka hal unhe mazahib hi ki bunyaad par murattib kiya hai. Iske liye unhone Quraan va Hadees ki taraf rujoo karne ki khat'an zahamat gavaar na ki ke unhe sawaab va khata aur haq va baatil ki maarifat aur tameez ho sake balke unhone "Ayimma ka ikhtelaaf rahmat hai" ke tareeqe ko apnaya aur fir saari ruqsaton aur sahooolaton aur maz'oomaa maslihaton ko ikaththa kar diya. Imaam Sulaiman taimi ne badi achchi baat kahi hai, farmate hai: Agar tumne har Aalim ki ruqsat par amal kiya to tumhare andar saari burayi jamaa ho jaayegi. Ise Ibn Abdul Bareer Rahimahullah ne rivayat kiya hai (2/91-92) aur iske baad farmaya: Is par ummat ka ijmaa hai aur mujhe is me kisi ikhtelaaf ka ilm nahi.

Pas ham isi taqleed k inkar karte hai aur aap ne dekha ke hamara inkar ijmaa ke mutabiq hai. Rahe vo muqtalif fee masayel jinke baare me Quraan va Hadees me koyi vaazeh nas maujood nahi inme haq va sawaab ki maarifat ke liye ya nas to haimagar vo mazeed vazaahat ka muhtaaj hai, isliye ke Ayimma ke aqvaal ki taraf rujoo karne aur unse

istefaada karne aur madad lene ke ham munkir nahi, balke ham iska logon ko hukum dete hai aur is pat ukhaate hai, kyu ke jo Quraan va Hadees se rahnumayi hasil karna chahe usko us se faida pahunchne ki ummeed hai.

Allaama Ibn Abdul Barar Rahimahullah ne (2/172) me farmaya hai:

Mere bhai tum par farz hai ke usool (kitab va sunnat) ko ba ahtemaam hifz karo aur ye baat yaad rah eke jisne Ahaadees aur Quraan me mansoos ahkaam ko hifz karne ka ahtemaam kiya aur fuqaha ke aqvaal me ghour va khoz se kaam lekar unhe apne ijtehaad ka sahara, tareeq fikar va nazar ka rahnuma aur ek se zyada maafi ka ahtemaal rakhne vaali mujmal sunnaton ki tafseer qaraar diya aur kisi imaam ki taqleed is tarah na ki jis tarah ke sunnat ki itteba har haal me bila pas va pesh aur baghair kisi taraddud ke vaajib hoti hai aur Ahaadees Nabaviyya ke hifz aur unme ghour va khouz se kaam lene me ulama ke jaadoo se nahi hata balke unme bahas va tamhees va ghour va faham me unke qadam ba qadam chala aur afaadaat va tambeehaat me unki masayi jumla ka shukar guzaar raha aur unki asaabat raaye par jinki unke yahaan aksariyat hai unki madaa va sataayish ki aur in ayimma ko laghzishon se mabar unhe samjha jaisa ke khud bhi unhone apne ko laghzishon se baree nahi qaraar diya to yahi vo taalib e ilm hai jo salaf saaleheen ki raah par gaamzan hai aur vahi khush naseeb aur raahe hidayat ka mutalaashi hai, Nabi ﷺ ki sunnat aur Sahaaba Ikraam RaziAllahuAnhum ki seerat va kirdaar ka paioorkaar hai.

Magar jisne apne ko fikar va tadabbur se door rakha aur hamari mazkooarah baton se eraaz aur roogardani ki aur sunan ki apni raaye aur qiyaas se muqaalifat ki aur Ahaadees ko apne muballigh ilm ka taabe farmaan banaya uska masad hayaat raha to vo khud bhi gumraah hai aur doosron ko bhi gumraah karne vaala hai. Lekin jo hamari bayaan

karda saari baton se jaahel ho aur baghair ilm ke be dareegh fatwa dene lage to vo aur bhi be baseerat aur gumraah tar hai.

Vaazeh aur roshan raah to ye hai,

Fir mujhe tum pagdandiyon par kyu le ja rahe ho.

(4) Choutha Shubah: Fir baaz muqallideen ke yahaan ek ghalti aam hai, jo unhe unke mazhab ke khilaaf hadeeson par amal paira hone se mane hoti hai aur vo ghalti ye hai ke inka gumaan hai ke muqalif mazhab hadeeson par amal karne ka laazmi mutalib imaam sahib ki ghalti saabit karna hai, aur imaam sahib ki khata aur ghalti saabit karne ka matlab un par hamla karna hai aur jab kisi maamooli musalman par hamla karna jaayez nahi hai to kisi imaam par kaise jaayez ho sakta hai?!

Jawaab: Ye matlab ghalat aur baatil hai, jiska sabab sunnat ke samajhne ki koshish se roogardaani aur inhiraaf hai, varna ye matlab kisi aqalmand musalman ki zabaan par nahi aa sakta tha kyu ke Nabi ﷺ ka khud irshaad hai: Agar faisla karne vaala ijtehaad se faisla kare aur ijtehaad duroost hai to ise do guna sawaab milega aur agar ijtehaad khata kar jaaye to use ek guna sawaab milega.

Pas ye Hadees matlab mazkoor ki tardeed karti aur is haqeeqat ko roz roushan ki tarah iyaan karti hai ke jab koyi ye kahe ke falaan Imaam se khata ho gayi hai to uska matlab shariyat me ye hua ke falaan ek ajr ka mustahaq hua, pas jab ghalti saabit karne vaale ki nazar me imaam saahab mustahaq ajar va sawaab thaire to fir unke mat'oon hone ka vo gumaan kahaan se paida hua, bila shubah ye ek baatil gumaan hai aur job hi isme mubtala hua is par farz hai ke us se toubah aur rujoo kare varna vo khud hi musalman ki shaan me murtakib taan va tashnee hoga aur kisi maamooli darje ke insan ki shaan me nahi balke akabareen ayimma, sahaaba va taabeyeen aur baad ke ayimma mujtahdeen vaghaira ki shaan me is jurm ka murtakib hoga, kyu ke hame yaqqeni

tour par maaloome hai ke ye akabir ayimma e deen baaham ek doosre ki ghalti saabit karte aur uski tardeed karte, to kya koyi aqalmand insan kah sakta hai ke ye hazraat aapas me ek doosre par zabaan taan va tashnee daraaz kiya karte the, balk eek saheeh Hadees me hai ke, ek shakhs ne khvaab dekha jiski Abu Bakr Siddiq RaziAllahuAnhu ne taabeer bayaan farmaayi, is par Rasoolullah ﷺ ne unki taghleez ki aur farmaya ke tumhara kuch kahna to saheeh hai magar kuch me tumse ghalti ho gayi hai, to kya Nabi ﷺ ne ye kaha ke Abu Bakr RaziAllaahuAnhu ko mat'oon qaraar diya tha?!

Aur ajeeb baat ye hai ke muqallideen isi vaham va gumaan ki bina par apne mazhab ki muqalif hadeeson par amal nahi karte kyu ke unke nazdeek un un Hadeeson par amal karne ka maana Imaam saahab par taan karna hai, Imaam saahab ka ihteraam wa taazeem unke yahaan tab hai jab Hadeeson ki muqalifat karke unki taqleed ki jaaye aur vo isi maz'oom wa mauhoom taana zani se bachne ke liye imaam saahab ki taqleed par date hue hai. Ye muqallid hazraat na daanista tour par bhool rahe hai ke ye log is vaham wa gumaan ki bina par jis cheez se bhaage the us se badi burayi me pad gaye, kyu ke agar unse koyi kahe ki imaam ki itteba wa taqleed agar unke ahteraam par dalaalat karti hai aur unki muqalifat un par taana zani par, to fir aap logon ne apne liye ye kaise jaayez kar liya ke Nabi ﷺ ki Hadeeson ki muqalifat karen aur unhe chod kar imaam saahab ki taqleed karen, jabke imaam saahab na to maasoom hai aur na hi un par taan wa tashnee kufr hai. Pas agar aap logon ke nazdeek imaam saahab ki muqalifat ka maana un par taan hai to Nabi ﷺ ki muqalifat ka maana to badarje oolaa in par taan hoga balke ye to ain kufr hai. Nauzubillaah Man Zaalik – Is baat ka to bahar haal muqallid hazraat koyi jawaab nahi de sakte, haan baaz muqallideen ko uske jawaab me baaraha sirf ye kahte suna hai ke hamare imaam saahab ko choonke Hadees ka ilm hamse zyada tha isliye ham ne in par aitemaad karte hue hadees ko tark kar diya hai.

Hamare paas is baat ke kayi jawaabaat hai jiski tafseel ke liye ye muqaddama na kaafi hai, isliye ham sirf ek jawaab par iktefa karte hai jo In Sha Allaah faisla kun saabit hoga aur vo jawaab ye hai:

Sirf aap ke imaam hi aap se Hadees ke zyada jan'ne vaale na the balke dasiyon aur saikadon ayimma aise guzre hai jinhe aap se zyada Hadees ka ilm tha. Pas agar saheeh Hadees aap ke mazhab ke khilaaf ho, lekin deegar ayimma me se kisi ne is Hadees ko qubool kiya ho, is soorat me to aap ke nazdeek is par amal karna zaroori aur zarz ho, isliye aap ki mazkooah baat yahaan to chal nahi sakti. Kyu ke aap ka muqalif azrah ma'arza kahega ke jis imaam ne is Hadees ko qubool kiya hai hamne is par aitemaad karte hue is Hadees ko qubool kiya hai. Isliye ke is Hadees ke mavafikh imaam ki itteba iske muqalif imaam ki itteba se behtar hai. Ye baat In Sha Allaah itni vaazeh va iyaan hai ke kisi par maqfi nahi rah sakti, isliye mai kah sakta hoon ke:

Choonke hamari kitab Nabi ﷺ ke tareeqe namaz se mutaalliq sirf sahi Hadeeson par mushtamil hai isliye jo in par amal na karen vo khata'an maazoor nahi samjha jaayega, kyu ke isme aisi koyi Hadees nahi hai jise ulama ne muttafiqah tour par tark kar diya ho. Aur Ma'aaz Allaah ke vo aisa karen. Balke jo masla bhi is kitab me vaarid hua hai uska qaayal ulama ka koyi na koyi ----- zaroor hai aur jo iska qaayal nahi von a ye ke sirf maazoor hai, balke vo ek ajr va sawaab ka mustahaq bhi hai, kyu ke ya to use vo Hadees sare se pahunchi hi nahi ya pahunchi magar ba sanad zayeef pahunchi ya fir is Hadees ko qubool na karne ka is aalim ke paas koyi aur doosra uzr maaqool raha ho jise ahle ilm jaante hai. Lekin is aalim ke baad agar kisi ke yahaan is Hadees ki sahet saabit ho jaaye to vo Hadees chod kar imaam ki taqleed karne me maazoor nahi samjha jaayega, balke is par vaajib hai ke vo Hadees maasoom ki itteba kare aur is baat ki daawat dena is muqaddame ka maqsad bhi hai. Irshaad Ilaahi hai:

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----- (AlAnfaal:24)

“Aye eemaan vaalon ! Tum Allah aur uske Rasool ke kahne ko baja lao, jabke Rasool tumko tumhari zindagi bakhsh cheez ki taraf bulate ho aur jaan rakho ke Allah Taala aadmi ke aur uske qalb ke darmiyaan aad ban jaaya karta hai aur bila shuba tum sab ko Allaah hi ke paas jama hona hai.”

Allaah Taala haq baat kahta hai aur vahi raah raast ki hidayat deta hai aur vo bada hi achcha saathi aur madadgar hai.

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### 91) Chand zaroori khavayed fiqiyah

Kuch khavayed fil hakheekhat nusoos hi hai ke jinhe khavayed ka darja de diya gaya hai aur baaz khavayed istenbaat va istakhrah ke zariye vaazeh kiye gaye hai, jinme se chand aham hasbe zel hai:

- (1) (-----) “Faida zimaan ki vajah se hai.”
- (2) (-----) “Na nukhsaan uthao aur na kisi ko nukhsaan me muhtala karo.”
- (3) (-----) “Zaalim ki jad ke liye koyi haq nahi hai.”
- (4) (-----) “Daleel madayi par hai aur qasam inkar karne vaale par hai.”
- (5) (-----) “Har neki sadkha hai.”
- (6) (-----) “Zamanat dene vaala -----”
- (7) (-----) “Vala sirf usi ke liye hai jisne ghulaam aazaad kiya.”
- (8) (-----) “----- sahib faraash ke liye hai aur zaani ke liye paththar hai.”

- (9) (-----) “----- karne vaalon ko juda hone tak ikhtiyar hai.”
- (10) (-----) “Jo shahadat me vaakhai hoga vo haram me vaakhai ho jaayega.”
- (11) (-----) “Be maqsad ashya ko chod dena aadmi ke islam ki khoobi se hai.”
- (12) (-----) “Aamaal ka daaromadaar niyyaton par hai.”
- (13) (-----) “Maamlaat ke aitebaar apne maqasid ke saath hai.”
- (14) (-----) “Yaqeen shak ke saath zaayel nahi hota.”
- (15) (-----) “Mashaqqat aasaani laati hai.”
- (16) (-----) “Aadat hakim banayi gayi hai.”
- (17) (-----) “Nukhsaan zaayel kar diya jaata hai.”
- (18) (-----) “Ijtehaad ijtehaad ke zariye nahi toot’ta.”
- (19) (-----) “Jab halaal va haram jama ho jaaye to haram ko tarjee va foukhiyat dee jaayegi.”
- (20) (-----) “Khurb va ibaadat ke kaamon me eesaar karna makroo hai, jabke iske alaava doosre kaamon me pasandeedah hai.”
- (21) (-----) “Shubhaat se hudood saakhit ho jaati hai.”
- (22) (-----) “Farz nafil se Afzal hai.”
- (23) (-----) “Jiska lena haram hai uska dena bhi haram hai.”
- (24) (-----) “Jiska istemaal haram hai uska rakhna bhi haram hai.”
- (25) (-----) “Vaajib sirf kisi vaajib ke liye hi choda jaa sakta hai.”



- (26) (-----) “Nafil farz se zyada vasee hota hai.”
- (27) (-----) “Kisi cheez se razamandi is cheez se bhi razamandi hai jo is se paida hoti hai.”
- (28) (-----) “Jo kaam fel ke aitebaaar se zyada ho vo fazeelat ke aitebaaar se bhi zyada hota hai.”
- (29) (-----) “Zaroor teen mamnoo af’aal ko mubaah kar deti hai.”
- (30) (-----) “Ikhtelaaf se nikalna mustahab hai.”
- (31) (-----) “Jawaab me savaal ka iyaada hota hai.”
- (32) (-----) “Khamoshi ki taraf khubool mansoob nahi kiya jaata.”
- (33) (-----) “Door kar dena kisi cheez ko khatam karne se zyaada khavi hai.”
- (34) (-----) “Rukhsaten gunahon ke saath maalil nahi hote.”
- (35) (-----) “Kalaam ko kaam me laana use mahmil kar dene se zyaada behtar hai.”
- (36) (-----) “Zaroorat ka uski mikhdaar ke mutaabikh andaaza kiya jaayega.”
- (37) (-----) “Asal me insan tamaam zimmedaariyon se bari hai.”
- (38) (-----) “Jab asal saakhit ho jaayegi to faraa bhi saakhit ho jaayegi.”
- (39) (-----) “Kisi cheez ke vajood se pahle uska hukum saabit nahi hota.”
- (40) (-----) “Jo kaam kisi ujr ki vajah se jaayez hua ho vo is ujr ke zaayel ho jaane se baatil ho jaayega.”

**92) khavaayed fikhiya asal me “Al Khavaayed Al -----“ ki tashreeh hai, jo darje zel hai:**

1. -----
2. -----
3. -----
4. -----
5. -----

**93) “Khavaayed fikhiya mukhtasar sharah ke saath”**

**Moulif: Allama Abdur Rahman Bin Naser Al Saadi**

**Sharah: Sheikh Arshad Basheer Madani**

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(-----)

**Tarjuma:** Niyyat shart hai tamaam aamaal ke liye, isi ke zariye duroostagi aur bigaad ka taallukh hai.

**Daleel:** Niyyat hi par madaar hota hai, amal ke khubool hone aur radd hone ka. Iski daleel ye khoule Rasool ﷺ hai:

**“Innamal aamaalu binniyyaat” (Sahih Bukhari:1)**

**Sharah ma’a al maslah:**

1. An niyyah se an niyya Al Khaasah muraad hai.

2. Shart amal se baahar ki cheez hai, jabke niyyat daakhili aur khaariji ko muheet hai, isi liye baaz ulama ikraam ne kaha ke niyyat shart bhi hai aur rukun bhi hai.
  3. Aadmi amal karta hai aadat (niyyat ----) ke tour par bhi aur ibadat (niyyat janaba) ke tour par bhi. Isliye sawaab ke liye niyyat shart rakhi gayi.
  4. Niyyat ke zariye akhsaam ibaadaat me bhi farkh kiya ja sakta hai aur aadat aur ibadat me bhi farkh kiya ja sakta hai.
  5. Niyyat hi par madaar hota hai, amal ke khubool hone aur radd hone ka. Iski daleel ye khoul Rasool ﷺ hai. “-----  
-----“ (Sahih Bukhari:1)
- Nisbat:** Imaam Baihakhi ne kaha mera irada to ye hai ke har baab se pahle ye Hadees likhoon. -----hai, kisi ne kaha ke ----- hai, bahar haal Imaam Bukhari ne Sahih Bukhari ki shru'at “-----“ se ki hai. Yaani iske aane vaala har baab ek amal ka takhaaza karta hai aur har amal niyyat saadikha ka takhaaza karta hai.
6. Eemaan Billah ke baad niyyat saadikha (ikhlaas) aur itteba do sharten hai khubool e amal ke liye.
  7. Ikhlaas e niyyat vo azeem shai hai jo mubah kaam ko kaar e sawaab bana deti hai. Khana, peena, sona, maal kamaana aur nikah vaghairah inka maqsad haram se bachna ho to ye ibadat aur kaar e sawaab hai.
  8. Shariyat me ahkaamaat do tarah ke hai: ek hukum jiska maqsad hai karna aur vo amr bajaa laana, iske liye niyyat

zaroori hai, sahat e amal aur sawaab ke liye. Jabke vo hukum jiska maqsad hai tark iske liye niyyat shart nahi.

9. Niyyat se muraad maqsad hai.

10. Shart: -----

Misaal ke tour par taharat shart hai, salah ke liye agar tahaarat na ho to salah kal adam hai, lekin tahaarat ke hone se namaz ka hona laazim nahi.

11. Shaikh Saad Shatari Hafizahullaah ne kaha is khaayade par aeteraaz hai ke saare aamaal ke liye niyyat ki shart ki taabeer me waqt nahi kyu ke shart hai maamooraat jaise namaz vaghairah, jabke vo hukum jiska maqsad tark ho jaise ----- najaasaat lekin niyyat shart nahi.

12. Shart ki do khismen hai:”-----“ Jaise tahaarat, namaz ke liye tahaarat shart hai iske bina namaz sahih nahi. 2- “-----“ Jaise Haj ke liye istetaat shart hai, iske baad bhi khatoon baghair mahram ke haj karle to haj is par wajib to na tha, lekin sahih hai.

13. Sahet vazoo ke liye ahnaaf ke paas niyyat ki shart nahi, kyu ke vo ise ibadat ghair mahza maante hai, jabke jamhoor ki raay ko raabah kharaar diya gaya ke vazoo ibadat mahza hai aur iske liye niyyat zaroori hai.

14. Niyyat ka mahal dil hai aur alfaaz se adayagi bidat hai, kyu ke ibadat ki asal hai toukheef: “-----“  
Yaani ibadat mahza ki asal hai rukna jab tak ke karne ki daleel na aajaaye. (-----)

15. Baaz ne ishkaar zaahir kiya ke zabah ke waqt talaffuz hota hai (Bismillaah Allaahu Akbar, Allahumma Taqabbal Minna) aur haj umrah ki ibteda me bhi (Allahumma Labbaik Hajjan, Allahumma Labbaik Umratan). Iska jawaab ulama ne ye diya ke ye talaffuz nahi balke mustakhil ek ibadat hai, jaise niyyat ke baad takbeer tahreema Allahu Akbar se namaz ki ibteda hoti hai.
16. Jaanvar zabah karte waqt amalan “Bismillah, Allahu Akbar” chodna fisq hai aur vo jaanvar halaal na hoga, lekin agar nasya na ho to fisq shumaar na hoga, lihaaza momin ka zabah bhool jaane ki haalat me baghair Bismillah ke bhi halaal hai. (Imaam Bukhari)
17. Khataa se agar koyi haraam kaam ho jaaye “Huqooqullaah” me to maaf hai. (Bakharah:286)
18. Sarahatan kalimaat ka maana zaahir kiya jaayega, niyyat ka aitebaar na hoga, jaisa ke talaah lekin kitaabati kalimaat ka maana niyyat ke aitebaar se liya jaayega, jaisa ke “talaah” lekin kitaabati kalimaat ka maana niyyat ke aitebaar se liya jaayega. Tum ko talaah hai (saraahat) aur apne ghar chali jao (kinaya) hai.
19. Baaz fukhaha ne jo shiddat barti hai ke har jazyaat salah par niyyat mukhaddam karna hai vo ghuloo hai.
20. Nafil ke दौरان farz ki niyyat nahi badly jaa sakti, jabke farz ke दौरان nafil ki niyyat badly jaa sakti hai.
21. Agar dono bhi makhsood “-----” ho to ek niyyat se dono ada nahi hote balke alag alag ada karna padega, jaisa ke do rakaat fajar (farz aur nafil). Lekin dono bhi ek sa

makhsood lazaatah na ho to dono ko ek se ada kar liya jaa sakta hai, jaise tahiyyatul masjid aur salatul farz, farz padhte hi tahiyyatul masjid bhi daakhil.

---

Tarjuma:Deen mabni hai maslihaton par, achchayi ke karne aur burayi ke na karne me.

1. Sharah:Maslihat ki jamaa masaalih hai. Jo salaah va faida ki alaamat hai.
2. Shariyat ka har amal kisi na kisi maslihat ke tahat hota hai. Jisme insano ke liye favayed hai. Roohani aur jismaani favayed hai. Masalan roohani faida Allaah Taala ne farmaya ! Touheed ikhtiyaar karo aur shirk se bacho. Jo shirk karta hai vo Allah ki muhabbat va rahmat se door ho jaata hai, agar shirk se bachega to apni rooh ko azaab se najaat dilayega.
3. Jismaani Faida: Roza rakhne se janibi tour par chusti va furti aati hai, jiske saath vo Allaah ki ibadat karta hai. Haj se ijtemaayiyat aur aapasi faham ka faida hai. (Makhsood to Allaah ki khushnoodi hai, lekin janibi tour par kayi maslihaton va favayed aur hikmaten haasil hoti hai, jo kabhi maaloom hoti hai aur kabhi nahi).
4. Maali Faida: Zakat iski daleel “-----” (Sunan Tirmizi:2325, sahih) “Maal kharch karne ka ek aur faida ye hai ke vo dil ki beemaari ko khatam kar deta hai, jo sirf maal ke saath hi khatam hoti hai.”

5. Shaikh Saaleh Fouzaan ki kitab “-----” me tayyibat aur khabayis par hakeemana guftagoo ki gayi hai.

---

Tarjuma: Pas agar takraa jaaye jayi maslihaten maslihaton me se oonchi cheez ko liya jaayega.

1- Sharah: Agar farz namaz ke liye jamaat thahar chuki ho to sunnat ko ada karne ka waqt nahi hai isliye farz padh lenge. Sunnat ke mukhabil farz asli hai.

2- Dalayel:----- (Zumar:55) Tarjuma: Aur pairvi karo us behtareen cheez ki jo tumhari taraf tumhare parvardigaar ki taraf se naazil ki gayi hai.

3- ----- (Zumar:18)

Tarjuma: Mere bando ko khush khabari suna deejiye jo baat ko kaan lagaakar sunte hai. Fir jo behtareen baat ho uski itteba karte hai. Yahi hai jinhe Allaah Taala ne hidayat ki hai aur yahi aqalmand bhi hai.

---

Tarjuma: Iske bar aks mafasid agar takraa jaaye, mafasid me se adna ka irtekaab karenge.

1- Dalayel: Nabi ﷺ ne farmaya: Abhi abhi meri khoum ne Islam khubool kiya hai. Agar mujhe inke murtad hone ka darn a hota to mai kaaba ko dhaakar uski

taameer karta is bunyaad par jis par Ibraheem Alaihissalaam ne taameer kit hi. (Sahih Bukhari:1583, Sahih Muslim:1333)

Agar kaaba taameer karte to is se zyada fasaad barpa ho sakta tha.

2. Agar kisi shakhs ke paas do hi kapde ho. Ek reshama ka aur ek chori kiya hua. Vo reshama ke kapde me namaz padhega kyu ke is se sirf Huqooqullaah talaf hoga jabke chori ke libaas me Huqooqullaah ke saath Huqooqulibaad ki haq talfi bhi hai.

3. Favayed va Maslihat:

1- Duniya me jo bhi khair hai vo touheed se hai aur job hi shar hai vo shirk se hai.

2- Salath, Zakath, Soum aur Haj se inshirah sadar, noor vajah, gham va fikar se najaat, badni khuvvat va phurti aur bojhalpan se najaat, rizq ki kushaadgi aur momino ke dilon me muhabbat paida hogi.

3- Haraam va Halaal ke ahkaamaat se makhsood hai nukhsaanaat se bachaana, maashre me adl va insaf khaayam karna, zulm se rokna, aasaniyan paida karna, takleefon se bachaana, dhoka aur ladayi se bachaana.

Masalan munasib bearish faidamand jabke kasrat bearish nukhsaan deh hai. Isi tarah Halaal faidamand aur Haraam ka irtekaab nukhsaan deh hai.



#### 4. Dalayel:

1- Ibne Qayyim Rahimahullaah farmate hai: Nabi ka bheja jaana shariyat ko dekar badi maslihat aur ahsaan e azeem hai. (Mifta Daarul Saad:302) -----

----- (Aale Imran:164)

Tarjuma: Beshak musalman par Allah Taala ka bada ahsaan hai ke unhi me se ek Rasool unme bheja.

2- ----- (Aaraaf:157) Tarjuma:

Aur paakeezah cheezon ko Halaal batate hai aur gandi cheezon ko un par Haraam farmate hai.

Shaikh Saaleh Fouzaan ne is aayat se ye istedlaal kiya ke jo halaal hoga vo tayyib hi hoga aur jo haraam hoga vo khabees hi hoga.

3- ----- (Bakharah:179)

Tarjuma: Akhalmandon ! Khisaas me tumhare liye zindagi hai is ba'as tum (khatal na haq se) rukoge.

4- ----- (Ambiya:107) Tarjuma:

Aur ham ne Aap ko tamaam jahaan vaalon ke liye rahmat banakar hi bheja hai.

5- ----- (Mayidah:3) Tarjuma:

Aaj maine tumhare liye deen ko kaamil kar diya aur tum par apna inaam bhar poor kar diya aur tumhare liye Islam ke deen hone par razamand ho gaya.

5. Masalih ki do khismen hai: 1- Masalih mua'tabar (jo shariyat ke mavafikh), 2- Masalih ----- (jo

shariyat ke -----) Ibne Qayyim Rahimahullaah ne farmaya: Masalih mursalah koyi shai nahi.

Masalih ki tarah mafasid ki do khismen hai: 1-

Mafasid Mahrama, 2- Mafasid Makrooha

6. Maslihaton ki tarjeeh ka tareekh e kaar:

1- Mahal khaas ke liye vaarid mashroo ke

mukhabile me tarjeeh haasil. Aam zikar ko chod kar

namaz ke baad saabit azkaar ko tarjeeh haasil hogi

/ Azaan ka javaab mukhaddam hoga, tilaavat

kuraan par kyu ke baad me azaan aap ke liye hone

vaali nahi lekin aap tilaavat marzi se padhle sakte.

2- Maslihat hajiya mukhaddam maslihat tahtaniya par.

3- Farz mukhaddam hai nafil par.

4- Mutaaddi nafil mukhaddam hai laazim nafil par

jaise nafli namaz ke mukhabile beemaar ki

teemaadaari.

5- Nafil namaz ke mukhabile ilm ki farziyat

mukhaddam hai.

7. Mafasid ke maratib jaan'na zaroori hai:

Mahram ke mukhabile me makrooh.

Mahram ke mukhabile me mushtabah.

Kabeerah ke mukhabile me sagheerah.

8. Mufsidah jo muataallikh ho apni zaat se doosra

hai. Mufsidah jo mutaallikh ho doosron ki zaat se.

apne ko mout se bachaane ke liye khinzeer

Khaana halaal hai, lekin apne aap ko bachaane ke liye dhamki dene vaale ki taameel me doosre ka khatal jaayez nahi.

9- Huqooqullaah ki paamaali ki gunjaayish hai, majboori me ba mukhaabla huqooqulibaad (salaah ki adaayagi ke liye majboori me istemaal reshama mukhaddam istemaal ghazab shuda kapde ke) akal khinzeer mukhaddam hoga akal al zabeeha li ghairullaah kyu ke mahram khafeef hai shirk ke mukhabile me.

(-----) Aise hi nusoos se mustambit hai.

10- Adam maa aur adam turaab ke moukhe par bilkul namaz chod dene ke bajaay behtar hai ke aadmi baghair tahaarat ke namaz padh le. Isliye ke khayeda hai (izaafaat al shart faat al mashroot) paani aur turaab na paaya gaya to vazoo bhi matloob na hua.

11- isi tarah zaalim hakim ki itaat behtar hai khurooj karke poori khoum ko khoum me lut put kar dene se.

---

Tarjuma: Shariyat ke khavayed me se aasani hai har is maamle me jisme dar pesh hoti hai dushvaari.

1- Dalaayel: “-----“

(Bakharah:185), Tarjuma: Allaah Taala ka irada tumhare saath aasaani ka hai, sakhti ka nahi.

----- (Nisa:38) Tarjuma: Allaah chahta hai ke tum se takhfeef kar de.

----- (Bakharah:196)

Tarjuma: Albatta tum me se jo beemar ho, ya uske sar me koyi takleef ho (jiski wajah se sar munda le) to us par fidya hai, khvaah roze rakh le, khvaah sadqa de de, khvaah khurbani kare.

----- (Haj:78)

Tarjuma: Aur tum par deen ke baare me koyi tangi nahi daali.

2- Baaz ibadat me mashaqqat par ajar hai, lekin vo ghaalibi amar nahi hai, iska matlab ye nahi ke aadmi jaan boojh kar mashaqqat daal le.

3- Jo takleef maala yataakh ho shariyat ne aise ahkaamaat jaari nahi kiye.

4- Jo shariyat ne ahkaamaat jaari kiye agar usme mashaqqat aaye to ----- ke tahat aasaani, narmi aur takhfeef farmayi. (Khasar, Tayammum, Masah, -----, Jama bainus salaatain, Haayez se salaah aur tavaaf vida saakhit).

---

Tarjuma: Aur nahi hai wajib baghair khudrat ke aur haraam nahi hai majboori ke wakht.

1- Misaal: Agar koyi shakhs haj karne ki istetaat na rakhta ho to us par haj farz nahi hai. (Aale Imran:97)

Dalaayel: "-----"

Nabi Kareem ﷺ ka khoul: ----- (Sahih Muslim:1337)

----- (Taghabun:16)

Tarjuma: Pas jahan tak tumse ho sake Allaah se darte raho.

2- Agar koyi shakhs aisa bhooka ho ke agar vo nahi khaaye to halaak ho jaayega. Aur uske paas sirf haram ghiza ho to aisi haalat me kuch kha sakta hai. Iski daleel "-----"  
aur "-----"

3- Adam istetaat ki shaklen:

1. Adam vajood jaise haath toot gaya to is azaa par paani na hone ke bavajood vazoo mukammil.
2. Ijz ki vajah se aajiz ho to kaffarah se, aajiz ho vazoo tak pahunchne se dushman ki vajah, nisf aajiz hai nifs saakhit baakhi me matloob, aur kapde me satar aurat ke liye.

---

Tarjuma: Aur haram har haram cheez zaroorat ke saath is khaddar hi liya jaayega jitna ke zaroorat ka takhaaza hota hai.

- 1- Zaroorat ya maztar ya majboori usko kahte hai jiske chootne se zarar laa hakh ho jiska badal na ho, baaz ne hayaat ya azoo ka talaf hona muraad liya.
- 2- “Zaroorat, Haajat, Manfaat, Zeenat aur Fuzool” in paanchon me farkh hai:  
Zaroorat: Na khaaye to mar jaaye, aisi haalat ko zaroorat me shumaar kiya gaya.  
Haajat: Pyaale ko banane ke liye daraad ki bharpaayi chaandi se, ye haajat ki khabeel se hai.  
Manfaat: Jiske fikhdan se zarar laa hakh ho aur husool se nafaa.  
Zeenat: Milne se faida ho aur na milne se nukhsaan na ho.  
Fuzool: Jiske afraad se zarar ka husool na ho lekin majmoo’a se zarar ho.
- 3- Note: Majboori ke hal ke liye raasta moujood ho to mahram ka irtekaab na karen jaise agar aurat mareez ho to tabeeb aurat ke hote hue tabeeb mard ke paas na jaayen. Isi tarah majboori ka hal isme na ho to bhi mahram ka irtekaab na karen.
- 4- Note: Mahzoorat ke irtekaab me tousee se bachhen, al zaroorat tabeeh al makhjtooraat/takhadar ba khadarah, zaroorat ki had tak istemaal (ghair baagh vaala aad)
- 5- Mahzoor ka sabab khatam hote hi irtekaab chod diya jaaye, jaise paani milte hi tayammum ka batalaan laazim aayega.

- 6- Majboori hukhookh ul ibaad ko saakhit nahi karti,  
misaal: Agar oont hamla karne aaya, bachaav ke liye use  
maar diya gaya, to maalik oont ko mutalibe ka haq nahi,  
albatta ek aadmi majboor tha kisi ka oont maar kar kha  
liya to saahab oont ko mutalibe ka haq hai.
- 7- Ek aadmi ne apne aap ko bachane ke liye kisi ka maal  
apne par karte hue dekha to khud ko bacha liya lekin  
maal ko na bacha saka to use mutalibe ka haq nahi, lekin  
agar kashti me zaayad saamaan ki vajah se nukhsaan ka  
andeshaa ho aur usne kisi ka saamaan phenk diya aur  
apna nahi phenka to saahab maal ko mutaaliba ka haq  
hai kyu ke kashti par vazan sab ki vajah se tha.
- 
- 

Tarjuma: Ahkaamaat poore ke poore yakheen par lout'ete hai  
pas zaayal nahi karta hai shak yakheen ko.

- 1- Aadmi ke idraak ke andar jo khayaalaat ubharte hai. Iski  
paanch khismen hai:  
Yakheen, Zan Ghalib, Zan Masavi, Shak aur Vaham.
- 2- Agar koyi shakhs maghrib ke liye vazoo kiya, isha ka wakht  
aa gaya, usko yakheen tha ke uska vazoo baakhi rahega.  
Ab usko shak ho raha ho ke vazoo baakhi hai ya nahi, to ye  
shak iske yakheen ko khatam nahi karega, ye shak shaitaan  
ki taraf se hai.

Jab tak asal ko todne vaala yakheen ghaalib na aa jaaye. (-----) (Yunus:36)

Tarjuma: Yakheenan gumaan, Haq (ki maarifat) me kuch bhi kaam nahi de sakta.

----- (Sahih Bukhari: 137)

Tarjuma: Aap ﷺ ne farmaya ke (namaz se) na phire ya na mude, jab tak aavaaz na sune y abo na paaye.

----- (Sunan Nasayi:1239)

Tarjuma: Abu Sayeed Qudri RaziAllaahuAnhu kahte hai ke Nabi Kareem ﷺ ne farmaya: “Jab tum me se kisi ko uski namaz me shak ho jaaye to vo shak ko chod de, ayr yakheen par bina kare.”

3- Jo subah me adam taharat se tha aur irada tha ke vazoo karle, zuhar ke wakht shak aaya ke vazoo kiya ya nahi, to asal ki wajah se vo ghair vazoo vala hi shumaar hoga.

4- Subah me ba vazoo tha baad me shak taari hua to asal ki wajah se ba vazoo hi shumaar hoga. (lekin masla fiqiya me mukhtalif hai kyu ke namaz ko yakheeni kaifiyat me ada karna hai {maaliki})

-----



Tarjuma: Aur asal ye hai hamare ----- me ke vo paak hai zameen aur kapde aur paththar.

1- Har cheez ki ek asal hoti hai aur us asal ke mutabikh shai ka faisla hoga.

2- Agar koyi shakhs ghar ghasb kar le aur usme namaz padhe to namaz ho jaayegi lekin usko gunah hoga chori ka. Namaz ho jaayegi isliye ke namaz ke sharayet poore ho rahe hai.

3- Aur lekin usne zameen chori ki isliye is gunah ka azaab use hota rahega.

4- -----

Vo khayeda jo istemraari tour par hamesha jaari hua is par hukum lagane ko asal kaha jaata hai.

5- Iski mandarja zel chaar shaklen hai:

1. Ya to daleel ho abaahat ke liye to abaahat ka hukum lagega.

2. Tahreem ki daleel vaazeh ho to tahreem ka hukum lagega.

3. Tahreem aur Tahmeel ke dalayel takra rahe ho to tahreem ko tarjee hogi.

4. Tahreem va Tahmeel me daleel na mile ya ham ko maaloom na ho to asal ki bunyaad par hukum lagega.

6- Misaal:

1. Paani ki najaasat ke baare me ilm na ho to asal ki bunyaad par taaher va muyahhar samjha jaayega, kyu ke paani ki asal paak hai.

----- (Sunan Tirmizi:66)

Tarjuma: Paani paak hai ise koyi cheez na paak nahi karti.

----- (Furkhaan:48)

Tarjuma: Aur ham aasmaan se paak paani barsate hai.

2. Zameen ki asal paak hai. (-----)  
(Sahih Bukhari:438)

Tarjuma: Mere liye tamaam zameen me namaz padhne aur paaki hasil karne ki ijaazat hai.

3. Sahaba ikraam vo libaas bhi pahante the jise kuffaar ne siya ho baghair dhoye.

4. ----- (paththar) zameen ki khabeel se hai.

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Tarjuma: Nikah, gosht aur jaan va maal ke masayel insan ke liye, inki asal haram hai, yahaan tak ke halaal ki daleel aa jaaye. Samajhlo jo tumhe likhaaya jaa raha hai. Allaah tumko hidayat de.

1- Dalaayel:

----- (Mominoon:5)

Tarjuma: Jo apni sharm gaahon ki hifazat karne vale hai.

----- (Nisa:23)

Tarjuma: Haraam ki gayi tum par tumhari maayen.

Jamaa va farokh asal me tahreem hai, jabke akhde nikah ki asal halaal hai, jabke baaz ke paas iski bhi asal haram hai. Jab tak halaal ki daleel na aa jaaye.

----- (Hujuraat:11)

Tarjuma: Ek doosre ka mazaakh na udao.

----- (Anaam:151)

Tarjuma: Aur jiska khoon karna Allaah Taala ne haram kar diya hai us ko khatl mat karo.

----- (Sahih Bukhari:2686)

Tarjuma: Jisne kisi zimmi ko khatl kiya, vo jannat ki khushboo bhi nahi paayega.

----- (Nisa:29)

Tarjuma: Apne aapas ke maal na jaayez tareekhe se mat khao.

----- (Sahih Bukhari:6043)

Tarjuma: Bila shubah Allaah ne tum par tumhara (ek doosre ka) khoon, maal aur izzat isi tarah haram kiya hai jaise us din ko usne tumhare is maheene me aur tumhare is shahar me hurmat vala banaya hai.

2- Lahoom ki asal haraam hai, Shaikh Saadi ke paas jabke Shaikh Shatri ke paas halaal hai.

Shaikh Saadi ki daleel: -----

----- (Sunan Nasayi:4277)

Tarjuma: Aur jab tum apne kiye ko chodo fir uske saath iske alaava (koui kutta) pao to us shikaar ko mat khao, isliye ki tum ne (Bismillaah) sirf apne kutte par padhi hai. Doosre par nahi.

3- Fukhaha ke paas jaanvaron ki asal halaal jab tak ke haram ki daleel na aa jaaye.

1. Jimaa Hraam hai, yahaan tak ke Halaal ki daleel na aa jaaye.

2. Haivaan ki asal halaal hai, jab tak shariyat se na takraaye, masalan agar jaanvar ----- se aur -----(-----) kar khaate ho.

3. Albatta lahoom ki asal haram hai. Hatta ke iske halaal hone ki daleel na aa jaayen.

Agar kisi jaanvar ko teer lage fir vo paani me gir kar mar gaya to shgak vaakhai ho gaya ke teer se muraad dum kat kar paani se mara to asal ki taraf jaayenge. Aur asal haram hai.

-----  
----- (Sahih Bukhari:52)

---

Tarjuma: Hamari aadaton ki asal jaayez hai, hatta ke javaaz ko khatam karne vali daleel aa jaaye.

1- Aadat se vo mutaad vo kaam jisse takhreeb va taabadna hota hai.

2- Aadat se muraad ibada ghair mahaza hai.

3- Abaahat: Jiske karne aur na karne me ijaazat masaavi ho.

4- Note: Ye faisla ahal ijtehaad likhenge jinko ilm ho, har aam aadmi ko ijaazat nahi.

----- (Bakharah:29)

Tarjuma: Vo Allaah jisne tumhare liye zameen ki tamaam cheezon ko paida kiya.

----- (Zaariyat:56)

Tarjuma: Maine jinnat aur insano ko mahaz isi liye paida kiya hai ke vo sirf meri ibadat karen.

Zindagi poori ibadat hai.

----- (Anaam:162)

Tarjuma: Aap farmadeejiye ke bil yakheen meri nama aur meri saari ibadat aur mera jeena aur mera marna ye sab khaalis Allaah hi ka hai jo saare jahaan ka maalik hai.

---

Tarjuma: Maamle shroo nahi hai magar vahi jo ke hamari shariyat me mazkoor hai. (-----  
-----)

1- Aadmi ibadat ke liye baghair daleel ke naye tareekhe nikaale.

----- (Shoora:21)

Tarjuma: Kya un logon ne aise (Allaah ke) shareek (mukharrar kar rakhe) hai jinhone aise ahkaam deen mukharrar kar diye hai, jo Allaah ke farmaye hue nahi hai.

----- (Sunan Abu

Dawood:4607)

Tarjuma: Aur deen me nikali gayi nayi baton se bachte rahna, isliye ke har nayi baat bidat hai, aur har bidat gumrahi hai.

----- (Sahih Bukhari)

Tarjuma: Jisne koyi aisa kaam kiya jiske baare me hamara koyi faisla nahi tha to vo radd hai.

- 2- Zuhar ki namaz me paanchve rakaat ka izaafa amadan takhreeb ki niyyat se ho to sirf paanchvi rakaat hi nahi balke poori namaz hi baatil hogi.
- 3- Vazoo chaar martaba kiya to chouthi cheez ghalat asal vazoo ghalat nahi.

---

Tarjuma: Maamlaat ke vasayel makhaasid ki tarah hai aur tum hukum do usi ka hukum zavayed ko

- 1- Har maamle ke teen pahloo hote hai: Jaana, Pahunchna aur Loutna. Masalan: Namaz ada karne ke liye jaana fir us jagah tak pahunchna aur fir namaz ke ada karne ke baad vahaan se loutna.  
Jab bhi koyi makhsad poora karna hai to vasayel ka istemaal karna bhi wajib hai. Jo hukum makhsad ko lagega vahee hukum vaseela ko bhi lagega.

2- Agar koyi ghair muslim namaz padhle to ye duroost nahi, isliye ke namaz ke duroost hone ke liye uska musalman hona zaroori hai.

3- -----

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4- Namaz wajib hai, to iske liye chal kar jaana bhi wajib hai vo khud ba khud samajh lena chahiye. Hukum ki taameel ke liye jo vasayel mumkin ho uska husool bhi wajib ho jaata hai. Mahram ka vaseela bhi haram, makrooh ka vaseela bhi makrooh, mustahab ka vaseela bhi mustahab.

5- Ek hukum ke teen hisse hote hai:

1. Makhaasid, jaise salah.

2. Vasayel, Jaise vazoo

3. Rujoo hone tak sawaab milta rahega, jab tak ke kisi aur mubaah kaam ki niyyat karke us kaam par na lag jaaye.

---

Tarjuma: Aur ghalati aur majboori aur bhool saakhit kar diya usko hamare maabood Rahman ne.

1- Khata: Bhool chook, Iskhaat: Asar ko zaayel karna.

2- Khata, ikraah aur nisyaan: Maana zid ala sawaab yaani seedhi raah ke khilaaf ya adam al khasad.

Agar koyi shakhs namaz ka wakht daakhil hone se pahle kisi kaam me masroof ho jaaye is khaddar ke namaz ka wakht nikal jaaye aur vo bhool kar abhi tak namaz k intezaar hi me rahe. Insiyaan ki vajah se maafoo anhu hai yaad aate hi padh le.

Agar koyi majboor kare ke Nabi Kareem ﷺ ko gaali de - -----

Agar kisi ne teer halaal shikaar ke liye phenki aur vo musalman ko lag jaaye – Al Khata.

3- Majboori us waqt kahenge jabke vo uske ikhtiyar me na rahe.

Teen ashkhaas hai- Pahla shakhs doosre ko kahe ke agar too tere shakhs ko nahi khatal karega to mai tujhko khatal kar doonga. Ab agar doosra shakhs pahle shakhs ki baat ka inkaar kare aur pahla shakhs use khatal kar de to vo shaheed hoga. Aur agar vo doosra shakhs teesre shakhs ko khatal kar de to pahle aur doosre shakhs par khisaas hoga.



4- Hukhookh ul Ibaad me makhtoorat ke irtekaab se kaffaara laazim hoga.

5- Ikrah ki kayi shaklen hai:

Ikrah ghair ikhtiyaari – kisi ko pahaad se phenk diya jaaye.

Ikrah ghair ikhtiyari ----- - kisi ko khatal ki dhamki ke agar vo aisa na kare to use khatal kar diya jaayega.

Ikrah ikhtiyari va ghair ----- - kisi ko jiski dhamki agar vo matlooba cheez na kare.

6- Hukum ye hai ke mufsid aur mazrah ko peshe nazar rakh kar makhaarna karke faisla kare, adna mufsid vaala kaam kare (-----)

7- Nisyaan: Hukhookhul Ibaad me nisyaan ki vajah se nukhsaan hua to kaffarah.

Hukhookhullah me do sooraten hai ya to “maamoorat” me nisyaan ya

“munhamaat” me nisyaan. Agar

maamoorat me nisyaan ho jaisa ke salaath, to yaad aate hi ada kar lena chahiye, agar nisyaan munhamaat me ho to maafu anhu hai, jaisa ke saum ki haalat me khaale to maafu anhu hai.

---

Tarjuma: Lekin nukhsaan ki wajah se uska badla lena wajib hai. Na usko gunah hoga na ghalti.

- 1- Khata nisyaan aur majboori me ghalti ho jaane se gunah nahi hoga. Lekin jo nukhsaan hoga uska kaffaarah ada karna wajib hoga. Kaffaarah ada karne ki soorat me gunahgaar hoga.
- 2- Agar ek aadmi ne doosre aadmi ko utha kar phenk diya kisi teesre aadmi par. Aur vo teesra shakhs kamzor tha aur vo mar gaya to usme doosre shakhs ka irada na tha, isliye sirf pahle vale shakhs par diyat hogi.
- 3- Kufr ye jumla par majboor kare warna khatl ki dhamki de to aise waqt kufriya jumla kahne se kaafir nahi hota. -----  
----- (Nahal:106)

Tarjuma: Jo shakhs apne eeman ke baad Allaah s kufr kare bajuz uske jis par jabar kiya jaaye aur uska dil eeman par barkharaar ho.

---

Tarjuma: Mataabaat me baaz masayel ahkaam ka hukum halaal hai jabke mustakhil tour par uska hukum haram hi hoga, jaise:

- 1- Bai majhool na jaayez: Misaal: 1. Agar koyi shakhs mirchi ked her ko khareede lekin ek mirchi do dher ke darmiyaan me ho aur maaloom nahi ke kis dher ki hai, to us dher ke saath agar vo shakhs us mirchi ko le le to

- vo jaayez hai. (Lekin chod de to behtar hai) kyu ke ye jihaala yaseerah hai aur tabayi hai.
- 2- Keede khaana aadmi ki mustakhil aadat nahi hai. Lekin agar fal, chaval, vaghairah me aa jaaye keede aur aur koyi khaa le to koyi gunah nahi. Vo cheez zimni tour par jaayez ho jati hai.
  - 3- Bai majhool halaal nahi lekin imaarat ki buniyaaden majhool hai fir bhi halaal hai, “-----“ hone ki buniyaad par – hamal ----- mustakhilan jaayez nahi albatta bakri ke saath hamal bhi ho to jaayez hai.
  - 4- Ghar ko uske lavaazimaat ke saath becha ja sakta hai.

---

Tarjuma: Aur araf par amal kiya jaayega, lekin jab vaarid ho jaaye hukum shariyat shareefa se to araf par amal nahi kiya jaayega.

- 1- Masalan: Vaalidain ke saath husne sulook karna. Araf ke hisab se khidmat ka maanaa mutaayyin kiya jaayega, jab tak ke shariyat se na takraaye.
- 2- Agar kisi ke vaalidain hind me ho aur vo log kisi aur makhaam par rahe ho. To vo vaalidain ko us mukhaam aur aam raayej ke mutabikh zarooriyaat zindagi ka kharch denge jo vaalidain ke shahar me hai. Na ke apne mukhaam ke mutaabikh.

- 3- Araf aur aadah me ye farkh hai ke aadah ka taallukh afraad se hai jabke araf ka taallukh mujtamaa se hai. -  
-----:tahdeed nahi ki jaayegi.
- 4- ----- ka ek maana hai shariyat me had mukharrar na ki gayi ho. Masalan:mahar is baare me hai ke mahar tum apne hisab se tai kar lo. Isko kahte hai araf.
- 
- 

Tarjuma: Jo ujlat karne vala ho mana ki hui cheezon me uska waqt aane se pahle – vo loutega nukhsaan (ke saath) is ki mahroomi ke saath.

- 1- Vaaris agar mouris ko khatal kar de to tarke se mahroom ho jaayega. (-----)
  - 2- Agar aadmi marz vafaat me aurat ko talaakh de jiska makhsood tarke se mahroom kar dena ho to talaakh ki taraf al tafaat nahi kiya jaayega.
  - 3- Note: Waqt se pahle ihram baandhna aur roza rakhna albatta halaal hai.
- 

Tarjuma: Aur agar tahreem nafs amal me aa jaaye ya uske shart me pas vo amal faasid va khalal vala hai. (ghair makhbool)

- 1- Agar koyi shakhs son eke bartan se vazoo kare to usko haram ka gunah milega lekin vazoo ho jaayega.
- 2- Is tarah ke masle ko -----kahte hai- Masla ek hota hai lekin uske do rukh hote hai.
- 3- Agar tahreem ka taallukh nafs e amal ya shart e amal se ho to vo amal faasid ho jaata hai, lekin agar khaarij amal se ho to amal sahi hoga, lekin iska gunah alag se likha jaayega.

---

Tarjuma: Aur apne takleef dene vale ko nukhsaan pahunchane vaale par koyi kaffarah nahi hai. Dafaar karne ke baad is tareekhe se jo behtar ho.

Dalayeel: -----

Agar koyi takleef de, usko bhi takleef dene par koyi gunah nahi hai. Lekin takleef dene vaale se badla achche andaaz me le. Takleef se bachna alag takleef dena alag hai. Takleef dena itlaaf ki had tak ghalat hai, takleef se bachte hue itlaaf ho jaaye to maafu anhu hai, ba shart ke badla lena hudood e shariyat me ho.

Misaal: Koyi daant se kisi ka haath katarne ki koshish kare aur vo haath kheench le jiske sabab daant toot jaaye to kaffarah nahi hoga.

Ghar me jhaankne vaale ki aankh phod de to diyat nahi.

---

Aur “Aal” faida deta hai, kal ka kal umoom, jamaa me aur afraad me jaise ke “ilm” jiske kayi maana aate hai. Al Aleem isme afraad aur jamaa aur tazkeer va taanees me. Masalan: Al Aleem- Har baat ka jaanne vaala.

Agar aleem kahenge to fir uske saath izaafa karna padega ke aleem ba zaat al sadoor. (----- : Saare mushrik najas hai. Ye “Aal” ki misaal hai).

----- : Aur Allaah jaanne vaala hai zaalimon ko.

-----: Aur Allaah jaanne vaala hai muttakheen ko.

-----: Aur vo har cheez ka jaanne vaala hai.

---

Aur nakraat nafi iske shuroo me aate hai, umoom ke maana paaye jaate hai, yaani uske shuroo me aaye.

Nafi: “-----”

Is misaal me shai nakrah hai aur uske shuroo me nafi hai  
vaala ----- maana honge. “Koyi ihaata nahi kar  
sakta us ke ilm me se kuch bhi.”

Nahi: ----- (-----)

Tum mat pukaro Allaah ke saath kisi bhi doosre ilah ko.

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Is tarah “man” va “maa” dono faida dete hai, saare umoom  
ka aye mere pyaare bhai pas aap suniye.

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Aur usi tareekhe se umoom ka maana deta hai mufrid jab  
usko mazaaf kiya jaata hai. Pas aap samjhen. Allaah aap ko  
hidayat de.

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Us waqt tak mumkin nahi hota koyi hukum yahaan tak ke jamaa ho jaaye mukammil sharayet aur khatam ho jaaye mavaana.

Shuroot Al Takfeer va mavaana

Shart 1- Tableegh hujjat, 2- Izaala shubhaat va izaala taaveel (yaani ilm ho makfar ka, mutaaddid ho, ikhtiyar ho)

Mavaana 1- Jahal, 2- Ikraah, 3- Khata, 4- Al Taaveel

Masalan: Dua us waqt duroost hogi ke uske sharayet mukammil ho jaayen aur mavaana mukammil khatam ho jaaye.

Har cheez ke kuch sharayet aur kuch mavaane hote hai, kisi par bhi hukum us waqt tak saadir nahi ho sakta jab tak ke iske tamaam sharaayet jamaa ho jaaye aur mavaana khatam ho jaaye, agar koyi shart jamaa na ho ya koyi maana khaayam ho jaaye to hukum mukammil nahi hoga.

---

Aur jo laaye aise amal jo us par wajib tha to vo mustahakh hoga, is cheez ka jo uske liye hai amal par.

Jo koyi aadmi aisa koyi amal kare jiska karna us par laazim tha. Is amal ki buniyaad par jo kuch bhi ho jaaye. Iske hisaab se vo javaab deh hoga.



Ek shakhs ne kisi ke haath ko kalayi se kaat diya. Vo zakham itna sarayat kar gaya ke vo shakhs tab na laa saka aur jaan bahakh ho gaya. Jis shakhs ne uska haath kata tha, vo hakim waqt ki taraf se jallaad tha, jisne us shakhs ke chori karne ke jurm me haath kata tha. Ye kaatna hakh ba jaanib tha. Is liye is soorat me jallaad se khisaas nahi liya jaayega, balke baitul maal se fout shuda ke logon ki madad ki jaayegi. Agar is misaal me jallaad aur mujrim ki bajaye aam do ashkhaas hote to kaatne vaale par khisaas hota.

Achche asar ki buniyaad ka nateeja achcha, bure asar ki buniyaad ka nateeja bura.

Agar koyi shakhs (raaste me) kuan khudvaaye. Raaste se guzarne vaala shakhs usme gir jaaye to is masle ke do pahloo hai.

- 1- Agar kuen ke maalik ne jaan boojh kar logon ke nukhsaan ke liye kuan khudvaaya to us par diyat hogi.
  - 2- Agar maalik apne baagh me kuan khudvaaya aur koyi aakar usme gir jaaye to us par diyat nahi hogi.
-

Aur tamaam ahkaam ghoomte hai apne illat ke saath. Aur illat usko kaha jaayega jiski bunyaad par vo sharayi hukum laga.

---

Vo cheez jiski bina par koyi faisla ya hukum lagaate hai hone ya na hone par.

Sharaab haram hai aur uski hurmat “Al Khamar” hai: ma khaamar al akhal, jo bhi akhal ko dhaamp le us par vahi hukum lagega.

Jaisa ke sharaab haram hai vaise hi Nabeez, Charas, Gaanja aur Afeem.

Masalan: Agar koyi shakhs safar kare aur safar me namaz khasar karta hai to jaayez hai, khasar ki illat safar ki mashakhkhat hai.

Khiyaas ke chaar arkaan hai- Jinme se ek rukun illat hai.

Hamare aur doosre mazaahib me jo imtiyaazi farkh hai usme se khiyaas sahi ka vajood bhi hai jo mahasin islam me se hai.

---

Aur har shart laazim hai, mua’hid ke liye khareed va farokht, nikah aur makhaasid me.

----- (Mayidah:34)

Tarjuma: Aur vaade poore karo.

Aakhid tai karne vaala.

Agar neeche vaale ne kaha ke is cheez ko khareedo.

Pahunchane ki zimmedaari meri.

---

Magar shuroot jo halaal kar de haram ko ya uske bar aks pas vo baatil hai. Pas tum jaan lo.

Shuroot fil maamlaat ki chah khismen hai:

1. Jo makhtazi al akhad (akhad ke takhaaze) ko mukammil kare, manafi na ho, bai ka takhaazah hai milkiyat aur shart lagayenge, aap ki milkiyat havaale karoonga, to ye taakeed takhaazah bai hogi.
2. Maslihat akhad ke mavafikh ho, saman moujal ki shart lagaye ya rahen ki shart lagaye, zamanat va kifaalat ki shart lagaye, ye shuroot bhi sahi hai.
3. Dono aakhadeen me se kisi ek ka nafa poora ho raha ho jaisa k eek hamfikh tak faida uthakar tamleek havale kar doonga to ye jaayez hai (-----), baaz ne kaha aisi shart sahi nahi, baaz ne kaha ek shart jaayez hai doosri nahi (-----), moujal bai me mazeed taakheer par jurmana sahi nahi.
4. Muallakh akhad: Falan aadmi lega to mai bhi loonga.

5. Akhad par Akhad: Mai ye ghar kiraaye par doonga, is shart par ke tum apni kaar mujhe bechoge (-----)
  6. Vo shart jo jama ke manakhiz ho: Mai bechoonga lekin havala nahi karoonga, Mai bechoonga lekin aap kisi ko nahi bechna. Ye shart baatil hai.
- 

Istemaal kiya jaayega khariya ko hukhookh me mubham ke waqt ya hukhookh me jabke tazaham ho.

Ibhaam: Angoothe ko kahte hai. Jab bhi insan ke andar ibhaam paaya jaata hai to vo savaal karta hai.

Baaz avkhaat mustahakh ghair maarroof aur na maaloom ho ya maaloom ho lekin kayi ek ho jabke cheez ek hi ko dee ja sakti hai sab ko nahi.

Masalan: Kisi cheez ke daava karne vaale chaar hai- Aur chaaron hakhdaar hai aur cheez ek hi ho to aise me khurra andaazi ki jaayegi.

Tazaahum: Ummeedvaar zyaada ho.

Al Mubham: Jin ke baare ma maaloom na ho.

Agar isko tohfa dena ho jo time par aaye, lekin chaaron bhi time par aa gaye to fir qurra andaazi ke zariye hal kiya jaaye. Masavi ho to ho qurra istemaal karenge.

Ibaadat me mubham ho yaani jumla paanch namazon me se koyi namaz padhi aur chaar na padhi ho to ahtiyaat paanch namazen dohraaye, agar hukhookh ul ibaad me mubham ho to qurra andaazi ki jaayegi.

---

Agar koyi amal dono masavi ho aur dono jama ho jaaye to usme se ek ko kaha jaayega pas tum sun lo.

Agar koyi shakhs peer aur jumeraat ke rozon ka ahtemaam karta tha. Aur usi me ayyam e beez aa jaaye to usko dohra sawaab milega.

Khayadah "Tadakhul" kahte hai- Jinse vaahed ka aamaal ho, dono bhi makhsood ho ya ek makhsood na ho.

1- Masjid me daakhil ho kar nafil padha aur tahiyyatul masjid na padha to ek me dono poore ho gaye.

2- Kisi ne hava kharij ki fir aur ek martaba lekin aakhir me vazoo ek hi martaba kaafi hai.

Note: Ek me do vajah (do sooraten) ho to dono me se kisi ek ko karle to jaayez hai. (sana ya dua isteftaah)

Dono me ikhtiyar hai.

---

Har mashghool ko kaam nahi diya jaayega, iski misaal rahan rakhe hue aur fi sabeelillaah ki hai.

---

Koyi bhi cheez jo kisi kaam ke liye wakhf kar dee jaaye. Is par koyi aur kaam karna jaayez nahi. Jo is wakhf shuda se takra jaaye.

Masalan: Koyi zameen masjid ke liye wakhf kar dee jaaye to us jagah ko koyi aur kaam ke liye istemaal karna jaayez nahi.

---

Aur aadmi apne bhai ki taraf se vaajib ada karde. To uske liye rujoo hai.

Agar vo chahe to mutaliba kar sakta hai.

Masalan: Kisi shaksh par dukaandaar ke kuch paise rah gaye ho. Aur vo ada na kiya ho. Us shakhs ke dost ne vo paise ada kar diye. Ab agar vo shakhs apne dost se kahe ke tum ne kyu ada kiye hai, de deta tha to uska is tarah se kahna duroost nahi kyu ke ----- shariyat ke vaajibaat ko vo ijaazat ke saath ada kare to jaayez hai.

Masalan: Agar koyi shakhs zakat ada karne ke moukhif me nahi hai aur uska dost uski ijaazat ke saath zakat de de to us par farz saakhit ho jaayega.

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Shariyat aur fitrat dono mutazaad nahi hai, munkar ya gunah ko bura samajhne me.

## **MEERAAS AUR VARAASAT**

94)

Varaasat ke teen arkaan hai:

1. Mouris (vaaris banana vaala yaani mayyit)
2. Vaaris (vaaris banne vaala)
3. Mouroos (tarka)

Varaasat ke teen asbaab hai:

1. Kharaabat (rishtedaari vaghairah)
2. Nikah
3. Valah

Varaasat ke liye teen sharayet hai:

1. Mouris ki mout ka saabit hona
2. Mouris ke mout ke waqt vaaris ki hayaat ka saabit hona
3. Mouris ke mutaallikh ilm hona, masalan varaasat ka sabab, vaaris ki jahat, uska darja aur khuvvat vaghairah.

Varaasat ke teen mavaane (rukavaten) hai:

1. Ghulami
2. Khatal
3. Deen mukhtalif hona.

Ilm meeraas me bahan bhayiyon ki teen akhsaam hai:

1. Aini:Jo sage ho
2. Ilaati:Jo baap ki taraf se ho
3. Ikhyaafi:Jo maa ki taraf se ho.

## **AAYAAT SE MAAKHOON MASAYEL**

### **Beton aur Betiyon ke mutaallikh ahkaamaat:**

- Jab mayyit ke vaaris sirf ek muzakkar aur ek mu'annas ho to unme maal ki takhseem is tarah hogi ke muzakkar ke liye do hisse aur mu'annas ke liye ek hissa.
- Jab varsah muzakkar va mu'annas ki ek jamaat ho to muzakkar mu'annas se dugne hiss eke vaaris honge.
- Agar aulad ke saath ashaab al faroz masalan khaavind ya biwi ya vaalidain maujood ho to pahle ashaab al faroz ko hissa dekar baakhi aulad ke darmiyaan "-----" ke usool ke mutaabikh takhseem kar diya jaayega.



- Jab mayyit ka vaaris sirf ek beta ho to saare maal ka maalik hoga. Aulad ki adam moujoodgi me pote unka hissa vasool karenge.

### **Vaalidain ke mutaallikh ahkaamaat:**

- Jab mayyit ki aulad ho to vaalidain me se hare k ko chata hissa milega.
- Jab aulad na ho to maa ko ek salas aur baap ko baakhi do salas mil jaayega.
- Agar vaalidain ke saath mayyit ke bhai bhi ho to maa ko chata hissa aur baakhi tamaam baap ko mil jaayega. Bhai aur bahan ko kuch nahi milega kyu ke baap unke liye haajab (rukavat) hai.
- Kharz ko vasiyyat par mukhaddam kiya jaaye.

### **Khaavind ke mutaallikh ahkaamaat:**

- Biwi ki vafaat par aulad na ho to khaavind ko nisf hissa milega.
- Agar aulad ho to khaavind ko choutha hissa milega.

### **Ek biwi ya zyada biwiyon ke mutaallikh ahkaamaat:**

- Khaavind ki vafaat par agar aulad na ho to ek ya zyada biwiyon ko choutha hissa milega.

- Agar aulad ho to aathvaan hissa milega.

### **Maa ki taraf se bahan bhaiyon ke ahkaamaat:**

- Jab faut hone vaala maa ki taraf se sirf ek bhai ya maa ki taraf se sirf ek bahan chode to unme se hare k ko chata hissa milega.
- Agar maa ki taraf se zyada bhai ya bahan ho to sab ek tihayi me barabar ke hissedaar honge.

### **Sage bahan bhayiyon ya baap ki taraf se bahan bhayiyon ke ahkaamaat:**

- Agar faut hone vaala ek sagi ya baap ki taraf se bahan chode aur mayyit ke liye aulad aur vaalidain na ho to usko nisf hissa milega.
- Jab mayyit do sagi ya baap ki taraf se bahanen chode aur mayyit ke aulad aur vaalidain na ho to ye tarke ke do salas ki hakhdaar honggi.
- jab mayyit bhai aur bahanen (yaani sage ya baap ki taraf se) chode to unke darmiyaan tarke ki takhseem “-----” ke usool par hogi.

- Jab sagi bahan fout ho jaaye aur aulad aur vaalidain maujood na ho to uska saga bhai saare maal ka vaaris hoga aur agar zyada bhai ho to aapas me barabari ke saath use takhseem kar lenge.
- Isi tarah baap ki taraf se bahan bhayiyon ka hukum hai, jab sage bahan bhai maujood na ho.

95)

### VAZOO KE FAZAYEL

1. Vazoo ke zariye khiyaamat ke din chamak hasil hogi. (Sahih Bukhari:136)
2. Vazoo aadha eemaan hai. (Sunan Tirmizi:3517, sahih)
3. Vazoo karne vaale ke pichle gunah bakhsh diye jaate hai. (Muslim:229)
4. Vazoo karne se jism ke saare gunah jhad jaate hai. (Muslim:244)
5. Jo musalman vazoo kare aur khada hokar do rakaat namaz ada karen uske liye jannat vaajib ho jaati hai. (Muslim:234)
6. Khiyaamat ke din momin ka zevar vahaan tak pahunchega jahaan tak vazoo ka asar pahunchega. (Muslim:250)
7. Sakhti aur takleef me vazoo kaamil tour par karne se gunah mit jaate hai aur is se darjaat buland ho jaate hai. (Muslim:251)

8. Vazoo karne vaalon me baroz khiyaamat aise aasaar numayaan honge ke unhe pahchaan liya jaayega ke vo ummate Muhammadi hai. (Muslim:249)
9. Abu Maalik ashaari RaziAllaahuAnhu kahte hai ke Rasoolullaah ﷺ ne farmaya: “Vazoo aadhaa eemaan hai.” (Sunan Tirmizi:3517)
10. Aur vazoo ki muhaafizat sirf momin karta hai. (Sunan Ibn Maajah:277)

**96)**

## **NAMAZ KE FAZAYEL**

1. Namaz Islam ka doosra aham rukun hai. (Bukhari:8, Muslim:16)
2. Rozana ba khayadgi se paanch namazen ada karne se tamaam sagheerah gunah maaf ho jaate hai. (Bukhari:528, Muslim:667)
3. Namaz gunahon ki aag ko thanda karti hai. (Saheehut Targheeb:358)
4. Paanchon namazen ba khaayadgi se ada karne vaala khiyaamat ke din siddikheen aur shuhadah ke saath hoga. (Saheehut Targheeb:361)
5. Raat ki taareeki me masjid me aane vaale namaziyon ke liye khiyaamat ke din mukammil noor ki khush khabri hai. (Sahih Abi Dawood:525)

6. Masjid me aane vaale namazi Allaah ke mulaakhaati hai jinki Allaah Taala izzat fermata hai. (Saheehut Targheeb:320)
7. Namaz Rasoolullaah ﷺ ki aankhon ki thandak hai. (Sahih Nasaayi:3680)
8. Namaz noor hai. (Muslim:223)

## 97) ROZON KE FAZAYEL

1. Rozedaar ke liye Rasoolullaah ﷺ ne jannat ka vaada farmaya hai. (Bukhari:1397, Muslim:14)
2. Rozedaar ke liye jannat me ek khaas darwaza banaya gaya hai. (Bukhari:1896, Muslim:1152)
3. Rozedaar shaheed ke saath honge. (Saheehut Targheeb:1003)
4. Rozedaar ke guzishta gunah maaf kar diye jaate hai. (Bukhari:1901, Muslim:759)
5. Ramzan me jannat ke darvaaze khol diye jaate hai aur jahannam ke band kar diye jaate hai. (Bukhari:1899)
6. Rozedaar ki mooh ki bo kastoori se zyada paakeezah hai. (Bukhari:1904)
7. Rozedaar ke har amal ka ajr saat sau gunaa tak bada diya jaata hai. (Muslim:1151)
8. Maah Ramzan ki har raat Allaah Taala logon ko jahannam se aazaad karte hai. (ibn Maajah:142, Sahih Ibn Maajah:1331)

9. Roze khiyaamat roza momin bande ki sifarish karega.  
(Sahih At Targheeb:984)
10. Roza khair ka darvaaza hai. (Tirmizi:2616, Sahih At Targheeb:983)
11. Hazaar maheenon se behtar raat (shab e qadar) maah Ramzan me hi hai. (Sahih Ibn Maajah:1333, Ibn Maajah:1644)
12. Nuzool e Quraan ka sharf Ramzan ko hi hasil hai.  
(Bakharah:185)
13. Ramzan me umrah ka savaab haj ke barabar ho jaata hai. (Bukhari:1863, Muslim:1256)
14. Rozedaar ki dua qubool ki jaati hai. (Tirmizi:3598, Ibn Maajah:1752)
15. Iftaari ke waqt Allaah Taala logon ko jahannam se aazaad karte hai. (Ibn Maajah:1643, Sahih Maajah:1332)

**98)**

### **ZAKAAT KE FAZAYEL**

1. Zakaat ki adaayagi jannat me le jaane vaala amal hai.  
(Bukhari:1396, Muslim:13)
2. Zakaat va khairaat, maal aur ajr va savaab me izaafe ka ba'as hai. (Sooratul Room:39)
3. Sadkha va zakaat se maal me kami vaakhai nahi hoti.  
(Muslim:2588)

4. Zakaat maal ka shar khatam kar deti hai. (Saheeh At Targheeb:743, Tabrani Fil Ausat:63/3, Ibn Khuzaimah:13/4, Haakim:1/390)
5. Zakaat amvaal ki tahaarat ka zariya hai. (Bukhari:1404)
6. Zakaat amvaal ki hifazat ka zariya hai. (Saheeh At Targheeb:744, Baihakhi:3557)
7. Zakaat ada karne vaala siddiqeen aur shuhadah ke saath hoga. (Saheeh At Targheeb:749, Ibn Khuzaimah:2212, Ibn Hibbaan:3429)
8. Har saal zakat ada karne vaala eemaan ka zayikha chakta hai. (Abu Dawood:1582, Sahih Abu Dawood Al Albani:1400)
9. Zakaat va khairaat gunahon ka kaffaarah hai. (bukhari:1435, Muslim:144, Tirmizi:2616)
10. Sadkha va khairaat se Rab ka ghazab khatam ho jaata hai. (Silsila Saheeha:1908)
11. Sadkha Roze khiyaamat momin par saaya karega. (Ahmad:4/233)

**99)**

### **HAJ VA UMRAH KE FAZAYEL**

1. Umrah gunahon ka kaffaara hai aur haj mabroor ka badla sirf jannat hai. (Sahih Bukhari:1773, Sunan Tirmizi:810, sahih)
2. Jihadi sabeelillaah ke baad Afzal amal haj mabroor hai. (Sahih Bukhari:1519)

3. Haj karne vaala gunahon se is tarah paak ho jaata hai jaise nau maulood bachcha. (Sahih Bukhari:1521)
4. Haj aur Umrah karne vaale ki dua qubool ki jaati hai, (Sunan Ibn Maajah:2893, sahih)
5. Haj aur Umarh aurat, kamzor, boodhe aur Bachche ka jihaad hai. (Sahih Bukhari:1861)
6. Haj guzishta tamaam gunah mita deta hai. (Sahih Muslim:121)
7. Ramzan me umrah ka savaab haj ke barabar milta hai. (Sahih Bukhari:1863)
8. Haji aur umrah karne vaale ko iske kharch aur mehnat ke mutabikh ajr milta hai. (Sahih Bukhari:1787)

**100)**

## **NIKAH-BARAAYE HALAAL VA HARAAM**

**Mukhtasar Note:** Akhayed me shirk bura, ibadat me bidat buri, maamlaat me haraam bura aur akhlaakhiyaat me bad akhlaakhi buri. Lihaaza chaaron shobon me apne aap ko gandagi se bachate hue tayyib zindagi guzaarna vaajib hai aur “-----” ka takhaaza hai aur iske liye “-----” (Ibn Maajah:224) par amal karte hue ilm ka husool ashad zaroori hai:

Ilm At Tawheed va radde Shirk

Ilm Al Sunnah va Radde Bidat



Ilm Al Halaal va Al Haraam

Ilm Al Akhlaakh

### **KHAANE PEENE KE AADAAB**

1. Islam ne paak cheezon ko jaayez qaraar diya.  
(Bakharah:168,172)
2. Murdaar, khoon, suvar ka gosht, Ghairullaah ke naam par zabah kiya gaya jaanvar haram hai. (Bakharah:173)
3. Vo jaanvar jo gala katne se maraa ho aur jo kisi zarb se mar gaya ho aur jo oonchi jagah se gir kar maraa ho aur jo kisi ke seeng maarne se maraa ho aur jise darindon ne faad khaaya ho lekin agar use tum zabah kar daalo to haram nahi. (Maayidah:3)
4. Tiddi murdaar ke hukum se mustasna hai. (Bukhari:5495, Muslim:1952)
5. Samandar ke jaanvar halaal hai, agar vo mar jaaye tab bhi (sivaye jab sahet ke liye mazar ho).<sup>1</sup> (Tirmizi:69, Nasaati:333, Ibn Maajah:386)
6. Murdaar ki khaal (agar use dabaaghat dee jaaye), Tiddi aur baal se faida uthaana jaayez hai. (Bukhari:1492, Muslim:363)
7. Majboori ki haalat me haram cheezen jaayez ho jaati hai. (Anaam:119, Bakharah:273)

8. Har cheer phaad karne vaala darinda (----- ke saath shikaar karne vaala darinda) khaana haram hai. (Muslim:1934)
9. Har aisa parinda jo panjon me giraft karke khaaye haram hai. (Muslim:1934)
10. Paaltoo gadhe ka gosht haram hai. (Bukhari:5525, Muslim:1941)
11. Ghilaazat khaane vaala jaanvar ghilaazat khatam hone se pahle haram hai. (Sunan Abu Dawood:3786)
12. Kutta, Billi aur har khabees jaanvar haraam hai. (Muslim:1569, Aaraaf:157)
13. Ahle Kitab ka zabeeha halaal hai, jab tak hurmat vaale usool saadir na ho jaayen. (Maayidah:5)
14. Sharaab peena haraam hai. (Maayidah:90)
15. Har nashaavar cheez haraam hai. (Maayidah:90, Muslim:2003, Bukhari:4343)
16. Sone chaandi ke bartan me khaana mamnoo hai. (Bukhari:5634, Muslim:2065)
17. Bila zaroorata aur sharayi javaaz ke alaava kutta paalna mana hai. <sup>2</sup> (Abu Dawood:4158, Tirmizi:2806, Nasaayi:5367)
18. Mujassime aur rooh vaali ashya ki tasaaveer lagaana mamnoo hai. <sup>3</sup> (Abu Dawood:4158, Tirmizi:2806, Nasaayi:5367)
19. Israaf va tabzeer haraam hai. (Bani Israayeel:27)

## LIBAAS AUR ZEENAT KE AADAAB

20. Satar dhaankna vaajib hai. (Muslim:338)
21. Safed libaas pahanna mustahab hai. (Abu Dawood:4061, Tirmizi:994)
22. Khaalis laal rang ka libaas pahanna manaa hai jo zaafraan ya asfar naami jadi booti se ranga ho. <sup>4</sup> (Muslim:2077, Sahih Nasaayi:5281)
23. Aisa libaas jo khaalis laal na ho balke usme deegar rangon ki aamezsh ho to aisa libaas pahanne me koyi haraj nahi. (Bukhari:5400)
24. Mard ka libaas takhne se ooncha aur aurat ka libaas dheela aur takhne se neechे hona chahiye. (Bukhari:5783, Muslim:2085)
25. Juma ya kisi khaas munasibat ke liye makhsos libaas aur zeenat ka ahtemaam karna jaayez hai. (Abu Dawood:343)
26. Shuhraat ka libaas pahanna haraam hai. <sup>5</sup> (Abu Dawood:4029)
27. Takabbur ka libaas pahanna haraam hai. (Bukhari:5783, Muslim:2085)
28. Baghair kisi uzr ke mardon ke liye sona aur reshmi libaas pahanna haraam hai. (Abu Dawood:4057, Nasaayi:5147, Ibn Maajah:3595)

29. Aise kapde pahanna ya istemaal karna haraam hai jin par saleeb ya kisi rooh vaali shai ki tasveer ho.  
(Bukhari:5961)
30. Mardon ko aurat ki aur auraton ko mardon ki shakal va soorat ikhtiyaar karna haraam hai. (Bukhari:5885)
31. Aurat ko tang aur aisa baareek libaas pahanna bhi haraam hai jis se uska badan zaahir ho. (Muslim:2128)
32. Zeenat me ghuloo ke liye khalakhullaah me taghayyur haraam hai. (Nisa:119)
33. Badan ko godna mamnoo hai. (Bukhari:5940)
34. Daanton ko nokdaar banana aur unke darmiyaan faasla karna mamnoo hai. (Bukhari:5940, 5943)
35. Bhaven baareek karna mamnoo hai. <sup>6</sup> (Abu Dawood:4170)
36. Vig ka istemaal mamnoo hai. (sharayi hudood me rahkar sar par baalon ka ugaana ilaaj ki khabeel se ho to jaayez hai). (Bukhari:5933)
37. Safed baalon ko khizaab (mahandi) lagaana mustahab hai, sivaaye kaale rang ke. (Bukhari:5899, Muslim:2103)
38. Mooche katarna aur daadhi badhaana vaajib hai.  
(Bukhari:5892)

## **KASAB AUR PESHA**

39. Jo shakhs kaam ki khudrat rakhta ho, uska kamaayi ke baghair baithe rahna aur doosron se maangna haraam hai. (Abu Dawood:1634)
40. Kaashkaari us waqt haraam ho jaati hai jiske khaane ya istemaal ko mazar kharaar diya gaya ho, masalan gaanjaa vaghairah. (Bakharah:195)
41. ----- mamnoo pasha hai. (Noor:33)
42. Rakhas aur jinsi jano mamnoo pasha hai. (Bani Israyeel:32)
43. Mujassamo aur saleeb vaghairah ki sanaat mamnoo hai. (Bukhari:2225)
44. Nasha aavar aur makhdar akhal ashya ki sanaat mamnoo hai. (Bakharah:195)

### **MAASHRATI AADAAB**

45. Ajnabi aurat ke saath khuloot haraam hai. (Tirmizi:2165)
46. Ajnabi aurat par amadan ya shahvat vaali nazar daalna mamnoo hai. (Noor:30)
47. Aurat ka zeb va zeenat ke saath ghair mahram mardon ke saamne nikalna haraam hai. (noor:31)
48. Aurat ko ghair mahram mardon se parda karna laazim hai sharayi hudood ke mutaabikh. (Ahzaab:59)
49. Zina aura mal e khoume loot haraam kaamon me se hai. (Shuraa:165)

50. ----- mamnoo hai. (Mominoon:5-7)

### **SHAADI BYAAH**

51. Islam me rahbaaniyat nahi hai. (Bukhari:5063, Muslim:1401)
52. Jis aurat ko nikah ka paighaam dena ho, is par nazar daalna jaayez hai. (Muslim:1424)
53. Jo aurat iddat me ho usko nikah ka paighaam dena jaayez nahi. (Talaaq ya shouhar ki vafaat ki iddat). (Bakharah:235)
54. Apne musalmaan bhai ke paighaam par paighaam e nikah dena jaayez nahi. (Bukhari:5142, Muslim:1412)
55. Kunvaari ladki se nikah ki ijaazat lee jaaye aur jabar na kiya jaaye. (Muslim:1421)
56. Vali ke baghair aurat ka nikah haraam ho jaata hai, raajeh khoul ke mutabikh. (Abu Dawood:2085)
57. Jin auraton se nikah haraam hai:
- Maa, beti, bahan, phoopi, khaala, bhatejiyan, bhanjiyan. (Nasbi ho ya razaayi dono khisam ke rishte)
  - Biwi ki maa
  - Rabeeba (yaani jis biwi se azvaaji taallukh khaayam kar chukka ho uski ladki)
  - Bete ki biwi (Nisa:22-24, Bukhari:2645, Muslim:1447)
  - Do bahano ko ek mard ki zoujiyat me ba ek waqt jama karna (Nisa:23)

- Biwi ki moujoodgi me uski phoopi ya khaala ko ba ek waqt jama karna (Bukhari:5109)
  - Shaadi shuda auraten (Nisa:22-24)
  - Mushrik auraten (Bakharah:221)
  - Zaaniyah (Fahesha, khabar geri karne vaali) (Noor:3, Abu Dawood:2051)
58. Kitabiyah se nikah jaayez hai, illah ye ke sharayi hudood paamaal ho rahe ho (Maayidah:5)
  59. Muslim aurat par ghair muslim se nikah haraam hai khvaah ghair muslim kitabi ho ya ghair kitabi (Bakharah:221)
  60. Nikah mutaa haraam kar diya gaya hai (Muslim:1406)
  61. Islam ne murdon ko adl ki shart ke saath ba ek waqt chaar nikah ki ijaazat dee hai (Nisa:3)
  62. Auraton ki dubar me sohbat karna haraam hai (Ibn Maajah:1934)
  63. Haalat haiz me talaaq dena haraam hai (Muslim:1471)
  64. Mutaallikha ko apne shouhar ke ghar me iddat guzaarna chahiye jab tak ke sharayi uzar ki bina ijaazat na mil jaaye (Talaaq:6)
  65. Mutaallikha ko apni marzi se doosra nikah karne se roka na jaaye, albatta naseehat va khair khvahi ka darvaaza khula hai (Bakharah:232)
  66. Kkhula aurat ka haq hai (Bukhari:5273)
  67. Biwi ko sataana haraam hai, isi tarah shouhar ko sataana bhi haraam hai (Nisa:19)

## AITEKHAAD VA TAQLEED

68. Kaahinon ki tasdeekh karna kufr hai. Aur dilchaspi lena baghair tasdeekh ke vo bhi haraam hai (Muslim:2230, Abu Dawood:3904)
69. Paason ke zariye khismat maaloom karna haraam hai (Maayidah:3)
70. Jaadoo seekhna aur karna haraam hai (Bukhari:5764, Muslim:89)
71. Taaveez latkaana haraam hai. "Rukhiyah shariyyah" ghair sharayi jhaad phoonk aur mukhtalif fiyah taaveezon se mustasna kar deta hai (Musnad Ahmad, Tirmizi:2072)
72. Badshugni lena haraam hai. Achcha shagun lena jaayez hai, Bi Iznillaah (Abu Dawood:3907)
73. ----- karna haraam hai. Tasalli va dua jaayez hai. (Bukhari:1294, Muslim:103)
74. Deen me koyi bhi naya kaam eejaad karna haraam hai. (duniyaavi ----- me sharayi hudood me rah kar ibtedaayi va ikhteraayi cheezen halaal hai) (Bukhari:2697)
75. Kitab va sunnat ke vaazeh ahkaam rahte hue kisi ki andhi taqleed aur taassub aami haraam hai (Aale Imran:32)

Note: Ibaadah mahaza ki asal "manaa" hai, jab tak ke karne ki daleel na aa jaaye, ibaadat ghair mahazah ki asal "abaahat yaani jaayez" hai, jab tak ke rokne ki daleel na aa



jaaye (Shaikh Saad Ash Shatri) lekin ye faisla aam aadmi nahi lega balke raasikh fil ilm hi faisla lega, Bi Iznillaah.

## MUAAMLAAT

76. Haraam cheezon ki bai bhi haraam hai. <sup>7</sup>  
(Bukhari:2236, muslim:1581)
77. Tahleel Tahreem aur Tahreem Tahleel (Halaal ko Haraam aur Haraam ko Halaal banana) kabeerah gunahon me se hai (Maayidah:87)
78. Java, Jahaalat Kaseer aur Ghair Kaseer par mabni tijaarat haraam hai (Bukhari:2193)
79. Zakheerah, andozi karna aur kheton se khelna mamnoo hai. <sup>8</sup> (Musnad Ahmad, Muslim:1605)
80. Baazaar ki aazaadi me masnooyi mudaakhilat karna mamnoo hai. (Muslim:1522)
81. Naat tol me kami karna haraam hai. (Anaam:152)
82. Sood haraam hai. (Nisa:29)
83. Nabi ﷺ kharz se Allaah ki panah maangte the. <sup>9</sup>  
(Abu Dawood:1555)
84. Kisi ki bai par bai karna haraam hai. (Bukhari:5142, Muslim:1412)
85. Zyaada kheemat par udhaar bai jaayez hai, chand shuroot ki bunyaad par. (Fataava Ibn Baaz)
86. Bai salam jaayez hai, shuroot ke saath (Jo peshgi rakham de maamla tai karna chahe vo naap, vazan aur muddat mutayyin kar len) (Bukhari:2239)

87. Sarmaaya lagaane vaaalon ka ishteraak jaayez hai, chand shuroot ke saath. (Jadeed maashi masayel jaise istesnaa, -----, baiul khasat, islami bainak, islami share market, cheen market vaghairah ke liye dekhe “Kitabul Buyoo” Arshad Basheer Madani Hafizahullah, [www. Askislampedia.com](http://www.Askislampedia.com))

### Ijtemayi Ravaabit

88. Kisi muslamaan se tarke taallukh jaayez nahi albatta tarke taallukh se islaah makhsood ho to theek hai. (Abu Dawood:4912)

89. Baaham sulah safayi karana nek kaam hai. (Hujuraat:10)

90. Doosron ka mazaakh na udaaya jaaye. (Hujuraat:11)

91. Taan va tashnee karna, bure lakhab se pukaarna, badgumaani, tajeess, gheebat, ye sab haraam kaam hai. (Hujuraat:11-12)

92. Chughal khori haraam hai. (Bukhari:6056, Muslim:105)

93. Tohmat lagaana haraam hai. (Noor:4)

94. Musalmaan ka maal, izzat, khoon ek doosre par haraam hai. (Bukhari:4406)

95. Mua’hida aur zami ka khoon haraam hai. (Bukhari:3166, Nasaayi:4753)

96. Maasoom ghair muslim ke jaan va maal ki hifazat zaroori hai, vahashat gardi ki har khisam haraam hai.  
(Maayidah:32)
97. Khud khashi haraam hai. (Nisa:29)
98. Rushvat haraam hai (Tirmizi:1336)
99. Chori haraam hai (Maayidah:38)
100. Apne maal me israaf karna haraam hai (Aaraaf:31)

### **ISTELAAHAAT**

- 1) Fiqh: Aisa ilm jisme in sharayi ahkaam se bahas hoti ho jinka taallukh amal se hai aur jinko tafseeli dalaayel se haasil kiya jaata hai.
- 2) Ilm fiqh jaaane vaala bahut samajhdaar shakhs.
- 3) Farz: shaari alaihissalaam ne jis kaam ko laazmi tour par karne ka hukum diya ho neez use karne par sawaab aur na karne par gunah ho, masalan namaz, roza vaghairah.
- 4) Vaajib: Vaajib ki taareef vahi hai jo farz ki hai, jamhoor fuqaha ke nazdeek in dono me koyi farq nahi. Albatta hanfi fuqaha is me kuch farq karte hai.
- 5) Mustahab: Aisa kaam jise karne me sawaab ho jabke ise chodne me gunah na ho, masalan misvaak vaghairah. Yaad rah eke ilm fiqh me mandoob, nafil aur sunnat isi ko kahte hai.

- 6) Makrooh: Jis kaam ko na karna, use karne se behtar ho aur us se bachne par sawaab ho, jabke use karne par gunah na ho, masalan kasrat sawaal vaghairah.
- 7) Haraam: Shaari alaihissalaam ne jis kaam se laazmi tour par bachne ka hukum diya ho, neez uske karne me gunah ho jabke us se ijtenaab me sawaab ho.
- 8) Jaayez: Aisa sharayi hukum jiske karne aur chodne me ikhtiyar ho. Mubaah aur Halaal bhi isi ko kahte hai.
- 9) Khisaas: Khisaas ye hai ke faro (aisa masla jis ----- mutaallikh kitab va sunnat me hukum moujood na ho) ko hukum me asal (aisa hukum jo kitab va sunnat me moujood ho) ke saath is vajah se mila lena ke un dono ke darmiyaan illat mushtarak hai.
- 10) Mujtahad: Jis shakhs me ijtehaad ka malka moujood ho yaani usme fiqahi makhuz se shariyat ke amali ahkaam mustambat karne ki poori khudrat maujood ho.
- 11) Illat: ilm fiqh me illat se muraad vo cheez hai jise Shaari alaihissalaam ne kisi hukum ke vajood aura dam me alaamat mukharrar kiya ho, jaise nasha hurmat sharaab ki illat hai.
- 12) Arf: ----- se muraad aisa khoul ya fel hai jis se maashrah mounoos ho, iska aadi ho, ya uska inme rivaaj ho.
- 13) Shaari: Shariyat banane vaala yaani Allaah Taala aur majaazi tour par Allaah ke Rasool صلی اللہ علیہ وسلم par bhi iska itlaakh kiya jaata hai.

- 14) Shariyat: Quraan va sunnat ki soorat me Allaah Taala ke mukharrar kiye hue ahkaamaat.
- 15) -----: Un mubah kaamon se rok dena ke jinke zariye aisi mamnoo cheez ke irtekaab ka vaazeh andeshaa ho jo fasaad kharaabi par mustamil ho.
- 16) Raajeh: Aisi raay jo deegar aara ke bil mukhaabil zyada sahih aur ikhraab ilal hakh ho.
- 17) Tarjeeh: Baaham mukhalif dalayel me se kisi ek ko amal ke liye zyada munasib kharaar de dena tarjeeh kah laata hai.
- 18) Ta'ariz: Ek hi masle me do mukhalif ahaadees ka jamaa ho jaana ta'ariz kah laata hai.
- 19) Imaam: Kisi bhi fan ka maarooof ilm jaise Fan e Hadees me Imaam Bukhari aur Fan e Fiqh me Imaam Abu Haneefa.
- 20) Istashaab: Sharayi daleel na milne par mujtahad ka asal ko pakad lena istashaab kah laata hai. Vaazeh rahe ke tamaam nafa bakhsh ashyaa me asal abaahat hai aur tamaam zaroor rasa ashyaa me asal hurmat hai.
- 21) Ijmaa: Ijmaa se muraad Nabi ﷺ ki vafaat ke baad kisi khaas dour me (ummat e muslima ke) tamaam mujtahadeen ka kisi daleel ke saath kisi sharayi hukum par muttafilik ho jaana hai.
- 22) Ijtehaad: Sharayi ahkaam ke ilm ki talaash me ek mujtahid ka ahkaam ke tareekhe se apni bhar poor zahani koshish karna ijtehaad kah laata hai.

- 23) Masaleh Mursalah: Ye aisi maslihat hai ke jiske mutaallikh Shaari Alaihissalaam se koyi aisi daleel na milti ho jo iske moutabar hone ya use laghoo karne par dalaalat karti ho.
- 24) Moukhif: Kisi masle me kisi aalim ki zaati raai jise usne dalayel ke zariye ikhtiyar kiya ho.
- 25) Maslak: Iski bhi vahi taareef hai jo moukhif ki hai, lekin ye lafz mukhtalif makaatib fikar ki numaayandagi ke liye maarooof ho chukka hai, masalan hanfi maslak vaghairah.
- 26) Nusq: Baad me naazil hone vaali daleel ke zariye pahle naazil shudah hukum ko khatam kar dena nusq kah laata hai.

