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Chapter on Hady, Ud-hiyah, and 'Aqiqah

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Hady offered for Tamattu' Hajj

Fatwa no. 1131

Q: I performed the rituals of 'Umrah (lesser pilgrimage) in Shawwal 1395 A.H., after that I went back to my own country, and as I have decided, In sha'a-Allah (if Allah wills), to perform the obligatory Hajj this year, 1395 A.H. will I be required to offer a Fidyah (ransom for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah) or not? May Allah reward you with the best!

A: The majority of Fuqaha' (Muslim jurists) are of the opinion that you do not have to offer a Hady (sacrificial animal offered by pilgrims), because you did not perform 'Umrah followed by Hajj during the months of Hajj in the same journey (Tamattu' Hajj), for you said that you returned to your country after performing 'Umrah in Shawwal, 1395 A.H., and you did not stay in Makkah until you performed Hajj.

However, some Fuqaha' are of the opinion that you have to offer a Hady if you performed Hajj in the same year, even if you returned to your own town or country or to a place that was further away, this is because of the general meaning of Allah's Saying: (Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford) The ruling applied and acted upon in this regard is based on the view of the Jumhur (dominant majority of scholars); which says that it is not obligatory to offer a Hady in this case.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Source: Fatwas of the Permanent Committee

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