Respect for the Graves of Muslims

Translated By:
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RESPECT FOR THE GRAVES OF MUSLIMS

By Aala Hazrat Ash Shah Imam
Ahmed Raza Khan
(radi Allahu anhu)

اهلاک الوہابین علیٰ توهین قبور المسلمين

Translated by
a humble servant of ALLAH
Muhammad Afthab Cassim Razvi Noori

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THE QUERY
What is the ruling of the learned Ulama and Muftis in the case where an ancient Muslim Cemetery is dug up to build houses on it? Is this permissible according to the Hanafi Madhab? Will doing so cause any disrespect to the deceased or not?

THE VERDICT

It must be noted that the heartfelt enmity that the Najdis possess for the Ambia (alaihimus Salaatu was salaam), Awliyah and the believers, is not possessed by any other corrupt sect. It is for this reason that the books written by the elders of this corrupt sect are filled with disrespect of the beloved servants of Allah. Those who wish to confirm this should look at the books or Najdi Mulla Ismail Dehlvi, Hassan Bhopali, Khuram Ali and Rasheed Ahmed Gangohi etc. One will find numerous disrespectful statements in these books. One of the slanderous statements in their books is regarding the blessed graves of the Prophets (alaihimus Salaatu was salaam) and the graves of the Awliyah. They have said that these blessed graves should be destroyed completely to the best of ones ability.

SHEIKH NAJDI INTENDED TO DESTROY THE BLESSED RAUZA-E-AQDAS

Allama Ahmed bin Ali Basri states as follows in the book ‘Faslul Khitaab fi Rad’di Dalaalati Ibn Abdil Wahab’ as follows: ‘From amongst the things he (Abdul Wahab Najdi) mentioned one thing which he definitely mentioned was, ‘if I attain the opportunity to do so, then I will break down the Rauza of Holy Prophet (sallal laahu alaihi wasallam).’ {Faslul Khitaab fi Rad’di Dalaalati Ibn Abdil Wahab}
SHEIKH NAJD DESTROYED THE MAZAARS OF SAHABA-E-KIRAAM

Allama Basri also states: ‘That breaking down of the blessed graves and Qubas of the Sahaba-e-Kiraam shows the corruption and evil behaviour of that Najdi (Abdul Wahab Najdi).’ {Faslul Khitaab fi Rad’di Dalaalati Ibn Abdil Wahab}

The very same Allama Basri also further states, ‘Some of the Ulama have stated that if the deceased is a well-known Aalim, pious person or a Sahabi and the Quba is equal to the size of the grave then one should not destroy it, and even if the sign is destroyed, the grave can not be opened at all. Now, you should know that to erect buildings around the graves of those martyred Sahaba radi Allahu anhum will either be Waajib or totally permissible and in any situation, to destroy it is not allowed. Only such a person will want to destroy these places, who is a bid’ati and a misled person, since to destroy the buildings which are erected over their graves is to show disrespect to the companions of the Holy Prophet (sallal laahu alaihi wasallam), whereas it is waajib (compulsory) upon every Muslim to respect and revere them.

How can those who have dug up the Mazaars of the Sahaba-e-Kiraam to an extent where even some of the shrouds (kaffan) and blessed bodies became apparent categorize themselves amongst those who love the Sahaba-e-Kiraam, just as some of the Ulama of Najd have claimed? (Brief synopsis)

ACCORDING TO THE IMMORAL WAHABIS, THE PROPHETS ARE DEAD AND MIXED IN THE SAND (ALLAH FORBID)

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According to these wahabis, after passing away, the Ambia (alaihimus salaam) become totally senseless and unaware of anything (Allah protect us from such words) and are mixed with the sand. Mul’la Ismail Dehlvi on page 60 of his book Taqweeyatul Imaan makes the following blasphemous statement about the exalted Prophet (sallal laahu alaihi wasallam): ‘I too will die one day and be mixed with the sand.’

If this is the thoughts and the ideas of these Mul’las about the Holy Prophet (sallal laahu alaihi wasallam) and about the blessed graves of the Prophets and companions, then what can be said about their ideas concerning the graves of ordinary Muslims? The demolishing of the graves of the believers especially the Awliyah is the manner of the Najdis, thus for any person to break or dig the graves of any Muslim is not allowed. It is also not allowed for anyone to break down the graves of the deceased members of Ahle Sunnat and build houses on these places for their pleasure and comfort. Living in these houses that will be built after breaking down the graves, will definitely without any doubt cause discomfort to the deceased and doing so is to disrespect and insult them and this is not permissible under any circumstances.

THE AQIDA (BELIEF) OF THE AHLE SUNNAT

It is the belief of the Ahle Sunnat that the Ambia, Shuhada and Awliyah are alive in their graves, with their physical bodies and their shrouds. The blessed bodies of the Ambia-e-Kiraam alaihimus salaatu was salaatu have been made haraam upon the sand (that it may devour these blessed bodies). The same refers to the blessed bodies of the Shuhada and the blessed bodies of the Awliyah alaihimur rahmatu wa Thaana. These beloved personalities are given sustenance in their graves.

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Allama Subqi writes as follows in Shifa us Siqaam: ‘The lives of the martyrs are very exalted ones. The promise of life and sustenance is not awarded to those who are not close to them and the lives of the Ambia are the most exalted, for this reason, that their lives are with body and soul just as it was on this earth and they will always be alive.’ (Shifaa us Siqaam pg 206)

The above mentioned statements of Allama Basri about the issue where the Najdis dug up the graves of the Sahaba-e-Kiraam and that the blessed bodies and shrouds were still intact even after more than twelve hundred years (is also evidence). A thousand curses upon this Mul’la Ismail Dehlvi and his followers, the disgraced wahabis who have such corrupt and impure beliefs regarding the Holy Prophet (sallal laahu alaihi wasallam), for this is not the manner of the true Muslims. May Allah protect the Ahle Sunnat from the companionship of such evil persons. Aameen

Qadi Thanaullah Paanipati states as follows in Tazkiratul Mauta: ‘The Awliyah Allah have stated, ‘Our souls are our bodies’ In other words their souls do the work of the bodies and due to great excellence sometimes their bodies manifest (the splendours of) the soul. It has been stated that the blessed Body of the Holy Prophet (sallal laahu alaihi wasallam) had no shadow. His exalted soul goes and comes to and from the earth, Jannat, the skies and where ever and when ever he pleases. It is for this reason that the sand of the grave does not eat their bodies and even their shrouds are intact. Ibn Abi Daniya narrated from Maalik that the souls of the believers travel where ever they please. Believers (Momineen) here refer to those who have attained spiritual excellence. Almighty Allah blesses their bodies with the power and might of the soul, so they perform Namaaz in their graves and recite the Holy Quran.’ {Tazkiratul mauta pg 206}
Sheikhul Hind Muhadith-e-Dehlvi (alaihir rahma) states as follows in the annotation of Mishkaat Shareef: ‘The Awliyah Allah have only journeyed from this ending world to the eternal world in the hereafter and they are alive by their Creator and they receive sustenance. They are in total comfort and people have no understanding of this.’ {Ash’atul Lam’aat vol 3 pg 402}

Allama Ali Qaari states as follows in the annotation of Mishkaat: ‘There is no real difference in both conditions of the Awliyah Allah (in other words in their life and passing away). It is for this reason that it has been mentioned that they do die, but they have travelled from one home into another home. {Mirkaat Sharah Mishkaat vol 3 pg 241}

Allama Jalaaludeen Suyuti (alaihir Rahman) presented a few quotations about the life of the Awliyah Allah after their passing from this world. These narrations are being quoted below: Imam Aarif Bil’laah Ustaaz Abul Qaasim Qushairi Qadasa Sirahu with his own merit narrates from the famous Saint Hazrat Abu Saeed Khuraaz Qadasa Sirahul Mumtaaz as follows, ‘I was in Makkah Muazzamah and I found a young man dead outside the Baab-e-Bani Shaiba. When I looked towards him, he looked at me, smiled and then said, ‘O Abu Saeed! Do you know not that the beloveds of Allah are alive even though they have passed away? They have only been moved from one house to another.’” (Sharhus Sudoor pg 86)

The very same exalted personality narrates from Hazrat Sayyidi Abu Ali Qadasa Sirahu as follows: ‘I lowered a Faqeer into his grave. When I opened his Kaffan and placed his head on the dust so that Allah may have mercy on his poverty. The Faqeer opened his eyes and said to me, ‘Are you disgracing me in front of Him, Who bears with me?’ I said, O My Leader! Is their life after death? He said, ‘
am alive and all the beloveds of Allah are alive. Verily on the day of Qiyaamat I will use the respect and honour blessed to me on that day to be of assistance to you.’’ (Sharhus Sudoor pg 86)

The very same reliable and exalted personality quotes a narration from Hazrat Ibrahim bin Shaibaan Qadasa Sirahu as follows: ‘One of my young mureeds passed away and I was very saddened by this. I sat down to bathe him. In the sad state of mind I unintentionally started to bathe him from the left side. The young man turned his left away from me and turned on his right towards me. I said, ‘O beloved son! You are right. It was my mistake.’ (Sharhus Sudoor pg 86)

The very same Imam narrates from Hazrat Abu Yacoob Soosi Nahr Jouri Qadasa Sirahu as follows: ‘I laid one of my mureeds on the bathing board to give him ghusl after his demise. He grabbed hold of my thumb. I said, O My Son! I know that you are not dead. This is just moving house. You may now leave my hand.’ (Sharhus Sudoor pg 86)

The great personality narrates from the same great Saint as follows: ‘Once one of my mureeds in Makkah Muazzamah said to me, ‘O My Peero Murshid! Tomorrow I will pass away at the time of Zohr. Hazrat take this one Ashrafi (coin). Use half to arrange for my burial and the other half for my Kaffan.’ The following day at the time of Zohr, the mureed came to the Kaaba and made tawaaf. He then moved a little away from the Kaaba. He lay down and his soul was removed. I lowered him into his grave and he opened his eyes. I asked him, is their life after death? And he replied by saying, ‘I am alive and all the beloved friends of Allah are live.’’ (Sharhus Sudoor pg 86)

IMPROPER ACTIONS CAUSE DISCOMFORT TO THE DECEASED

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Even though some of the bodies of the Muslims are not intact but to sit on their graves, lean against their graves and walk with shoes loudly in the graveyard causes discomfort to them. This is proven from the Hadith Shareef without any doubt. Haakim and Tabraani report from Amaara bin Hazm (radi Allahu anhu) that, ‘Holy Prophet (sallal laahu alaihi wasallam) saw me sitting on a grave and said, ‘O you who is sitting on the grave! Get off the grave. If you do not cause discomfort to the person in the grave he will not cause discomfort to you.’’ (Sharhus Sudoor pg 126)

Saeed bin Mansoor quotes in his Sunan that someone once asked Hazrat Abdullah ibn Mas’ood about keeping their foot (walking) on a grave. He said, ‘Just as I dislike causing harm to a living Muslim, I dislike the same for the deceased.’ (Sharhus Sudoor pg 126)

Imam Ahmed (alaihir rahma) with the merit of Hassan narrates from the same Amar Hazm (radi Allahu anhu), ‘The Prophet (sallal laahu alaihi wasallam) saw me leaning against a grave. He (sallal laahu alaihi wasallam) either said, ‘O! Do not cause discomfort to those in the grave’ or ‘Do not harm the one in the grave.’’ (Mishkaatul Masaabih pg 149)

The issue of discomfort to the deceased was one that the Tabi’een and other Ulama, who were people of foresight, experienced first hand. Ibn Abi Daniya narrates from Abul Qulaba Basri as follows: ‘I was on my way from Syria to Basra. At night I stopped at Khandaq. I performed wudhu and two rakaats Namaaz. I then placed my head on a grave and fell asleep. When I awoke, I saw the deceased (whose grave it was) complaining to me and saying, ‘O You! You caused me discomfort the entire night.’’ (Sharhus Sudoor pg 128)
Imam Baihaqi reports in Dalaailun Nabuiwat and Ibn Abi Daniya reports from Hazrat Abu Uthman Nahdi and he narrates from Ibn Meena Taabi’ee as follows, ‘I went into a cemetry. I read two rakaats Namaaz and fell asleep. I was in a deep sleep, when, by Allah! I heard someone from the grave saying, ‘Wake up! You are causing me discomfort.’’ (Dalaailun Nabuiwat vol 7 pg 40)

Haafiz Ibn Munda narrates from Imam Qaasim bin Mukhmeera (rahmatullah alaih), ‘If I keep my feet on a heated spear and the spear passes right through my foot, then, I prefer this more than keeping my foot on the grave (of a Muslim).’ He then said, ‘A person once kept his foot on a grave and in an awakened state he heard a voice saying, ‘O You! Move away, you are causing me discomfort.’’ (Sharhus Sudoor pg 126)

Allama Sharnablali writes in Maraqi ul Falah as follows: ‘My Ustaaz Allama Muhammad bin Ahmed Hanafi (rahmatullah alaih) informed me that the deceased is hurt (feels discomfort) through the sound of shoes.’ (Maraqi ul Falaah pg 342)

It is for this reason that our Hanafi Fuqaha-e-Kiraam (Jurists) alaihimur rahma state, ‘To construct a house on a grave, to sit on a grave, to sleep on a grave, or to answer the call of nature near a grave, are all actions that are strongly makrooh and close to Haraam. It is in Fatawa Alamgiri as follows: ‘To construct a building on a grave, to sit or sleep on it, to tramp on it or answer the call of nature near a grave are all makrooh.’ (Fatawa Hindiya vol 1 pg 122)

In presenting proof of this, Allama Shaami states in the footnotes of Durr-e-Mukhttar, ‘In other words, that which causes the living discomfort also causes the deceased discomfort.’ (Raddul Muhtaar vol 1 pg 229)

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Actually Dailmi narrated from Ummul Mo’mineen Hazrat Siddiqa (radi Allahu anha) by explaining further this familiar theory that the Holy Prophet (sallal laahu alaihi wasallam) said, ‘Whatever caused the deceased discomfort in his home will cause him discomfort in the grave.’ (Al Firdaus vol 1 pg 199)

Ibn Abi Shaiba narrates in his composition from Sayyidina Abdullah bin Mas’ood (radi Allahu anhu) as follows: ‘To cause discomfort to a Muslim after demise is like one caused discomfort to him in his lifetime.’ (Sharhus Sudoor pg 126)

It is now as clear as day that to dig up graves and build houses on the said land will definitely include either one, or all of the above mentioned improper actions and this will definitely cause discomfort to the deceased Muslims and it is totally disallowed in the Hanafi Mazhab to do so. However, if some person decides to raise an objection by quoting that Allama Zail’ee wrote as follows in ‘Sharhe Kanz’, ‘If the deceased has been buried a long time ago and has been mixed in the sand, then to re-bury in that grave, to plant vegetables etc on it and to erect buildings on it is permissible.’ (Tabayyinul Haqaiq vol 1 pg 246)

Then, the first answer to this is that the statement of Allama Zail’ee is not in accordance with the said Hadith and other statements, thus not acceptable. Secondly, Imam Sharnablali in Imdaadul Futaah refuted the statement of Allama Zail’ee with another narration thus making it inapplicable to practice upon. It is in Imdaadul Futaah, ‘It is opposite to this in Taatar Khaaniya. In other words, even if the deceased is decomposed and mixed in the sand, then too, it is makrooh to bury someone else in the same grave, since it is contrary to the respect and honour of the deceased, for that deceased must still be respected and revered.’ (Raddul Muhtaar with ref to Al Imdaad vol 1 pg 599)

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Also strengthening and supporting this statement, is that of Allama Naablisi alaihir rahma in Hadiqa-e-Nadiya (annotation of) Tareeqa-e-Muhammadiya, which is as follows: ‘That which has been stated that by leaning on the grave it causes discomfort to the deceased means that the souls come to know that the said person has been responsible for causing disrespect to them, and thus feels offended.’

Sheikhul Hind alaihir rahma states as follows in Sharhe Mishkaat: This could actually mean that the soul is displeased with someone resting against the grave as this is insult to the deceased.’ (Ash’atul lama’aat)

It must be noted that by resting against a grave, causes the curse of the deceased to befall the person doing this action and it displeases and causes insult to them. Now, there is no doubt that by (flattening) the graves and using it for cultivation and building houses on them will be even more disrespectful.

Thirdly, we ask the Wahabis, Najdis (who disrespect graves) how they know that the deceased has turned to dust completely, in other words totally decomposed and even the bones are not still present, since the graves have not been dug up as yet, and neither is it evident from the Quran and Hadith concerning any time which has been stipulated for the body to decompose, that after such and such a time, the bones of the deceased as well decompose. However, from experience, we have noticed on numerous instances that when an old plot of land on the outskirts is dug up (which was used for burial), remains are found in the graves and sometimes even the complete body is found intact and fresh. Such graves according to records showed that they were three to four hundred years old. Now after all this, to use insufficient proof and make it the basis of law is totally impermissible. If those making objections on this issue decide to use
the example of places like Bombay (and other places in the world) where, the graves of Muslims are re-dug and people are buried in them, by saying that if this were not allowed then why is such a practice carried out in such huge cities of the world, then the answer to this question, is that in these cities, there is a shortage of vacant space. There is not enough place in the graveyards to use a grave only once for one particular individual. Thus, in such dire conditions, it becomes permissible as per the Shariat to re-bury (In the time of extreme need that which is disallowed becomes permitted). This statement is one that is agreed upon unanimously.

It has been stated in Kabeeri Sharhe Muniya as follows: ‘The grave must not be re-dug to bury a person until the initial body is not completely decomposed, and even its bones do not remain. However, it is permissible to re-use a grave in the time of extreme need, where there is no other option there but this one. (Ghuniya pg 207)

In conclusion it must be noted that to flatten the graves of Muslims and build houses on such a land is not permissible according to the Hanafi Madhab and there is no doubt in the fact that the deceased are harmed by such actions.

This has been my researched and complete knowledge is by my Creator. I have said this Fatwa personally and have commanded for it to be written.

A humble servant
Muhammad Umrud Deen Sunni Hanafi Qadri Hazarwi

Verifications of the Above mentioned verdict followed by Aala Hazrat’s Presentation of Evidence

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First Verification: All that has been written by the learned scholar is correct and a means of blessing. It is in Khazanatur Riwaaya as follows: ‘It is in Mufeedul Mustafeed from Mafatihul Masaail that it is Makrooh to bury someone in a used grave even though the deceased who was initially buried there is completely decomposed, prevailing.’ (Raddul Muhtar vol 1. pg 599)

It is also stated as follows in the same Khazanatur Riwaaya: ‘For any person to build a house or Musjid on a grave is impermissible, since the area of the grave belongs to the person whose grave it is. It is for this reason that it is not allowed to dig up a grave.’ (Khazanatur Riwaaya)

Abdul Ghafoor has written the above with the Mercy of his Creator and he is hopeful of His Mercy. May Allah protect me from all mishaps and calamities.

Second Verification: May Allah bless the writer of the Fatawa with reward for he has presented an excellent answer and has given proper explanation. This is written by Muhammad Basheerud’deen.

Third Verification: I have seen the said Fatawa. It is correct and the answer is acceptable. Muhammad Abdur Rasheed Dehlvi

Fourth Verification: The answer is correct: Muhammad Afzal Al Majeed

Fifth Verification: The answer is correct and proper: Muhammad Abdul Muqtadir Badayouni

Sixth Verification: The answer pertaining to this topic is correct. Muhammad Fazl-e-Ahmed Badayouni

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Seventh Verification: The Answer is correct: Muhammad Ibraheem Qadri

Eight Verification: The answer given is correct. Allah knows best: Muhammad Haafiz Baksh (Teacher Madrasa Muhammadiya Badayoun)

Ninth Verification: The answer is correct: Abdur Rasool Muhib Ahmed (Badayoun)

Translator’s Note: The above completes the Fatwa presented to Aala Hazrat (radi Allahu anhu). Now, commences the explanation of this topic by The Mujaddid of the 14th Century Aala Hazrat Ash Shah Imam Ahmed Raza Khan Qadri Barakaati (radi Allahu anhu):

Bismillahir Rahmaanir Raheem

All praise is due to Almighty Allah who has created the earth as that which gathers everything. He gave honour to the living and the dead believers and he made their deaths a means of attaining peace and comfort and He made it Haraam to insult and be abusive towards them (both the living and the dead). Durood and Salaams upon that blessed personality who fed us with the sweet waters of his favours and his continuous blessings, and who gave us the strong evidence of righteousness to counter attack wrong whilst we are on the battle fields and by doing so, he gave honour to the believers forever and for this, he did not stipulate any set time, and he made the believers, exalted ones even though they may become bones, and he has made it Haraam to harm them, even though they may have turned to dust, and salutations upon his illustrious family, noble companions and upon his congregation, who are all exalted in the sight of Allah. May Allah bless the writer (of the above mentioned verdict) with

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abundant rewards, for his efforts in congregation and those done individually.

The answer (on this issue) written by Jaame Fazaail; Qaam-e-Razaail; Haami-e-Sunan; Mahiy-e-Fitn; Maulana Molvi Muhammad Umrud’deen is very much sufficient. However, this humble servant (Aala Hazrat) would like to add some important points to this issue at discussion.

Section one: will be in support of the verdict of the learned scholar, pertaining to the fact that it is necessary to respect the graves of the Muslims and to avoid harming the deceased. I will also try to explain those actions that cause discomfort to the deceased, even though a few of the proofs presented may be repetitions and it is well known that repetition of evidence is excellent in the case of presenting support on any issue.

Section two: will clearly prove that one is not allowed to build houses etc. on land made waqf (specially given) which has been given specifically for burial. It also proves that to build houses on these graves is Haraam, and this is not allowed either for a personal home or for attaining comfort and luxury. Also being discussed here is the issue relating to the research of Imam Zail’ee. In this section there are also two verdicts of this faqeer that will give contentment and which are Alhumdulillah sufficient.

SECTION ONE

It has been unanimously agreed upon by the Ulama that the respect for the Muslims, both living and dead is equal. Muhaqqiq alal Itlaaq (rahmatullahi ta’aala alaih) states in Fathul Qadeer: ‘It has been agreed upon this fact, that the respect and the honour given to a

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The Holy Prophet (sallal laahu alaihi wasallam) stated, ‘To break the bones of the deceased and to cause the deceased pain is like breaking the bones of a living person. (Sunan Abi Dawood vol 2 pg 102).

Imam Ahmed, Abu Dawood and Ibn Majah have narrated this on the merit of it being a Hassan narration from Sayyida Aisha Siddiqa (radi Allahu anha).

This Hadith has been reported in Masnadul Firdaus with the following words, ‘The Holy Prophet (sallal laahu alaihi wasallam) said, ‘The deceased feels discomfort in his grave by that which causes discomfort in the home.’’ (Al Firdaus vol 1 pg 199)

Allama Manaawi states in Sharah, ‘From this Hadith we understand that even after death the Muslim deceased must be honoured.’ (Faizul Taqdeer vol 4 pg 551)

Sayyidina Hazrat Ibn Mas’ood (radi Allahu anhu) states, ‘To cause pain to the Muslim deceased, is the same as causing pain to a living person.’ This has been reported by Abu Bakr ibn Abi Shaiba (Sharhus Sudoor pg 162)

The Ulama have stated, ‘That which causes pain and discomfort to the deceased, causes pain and discomfort to the living, just it has been mentioned in Raddul Muhtaar and other authentic books etc.’

Allama Sheikh Muhaqqiq (rahmatullah alaih) records from Imam Allama Abu Umar Yusuf bin Abd Al Birr in Ash’atul Lam’aat as follows: ‘Here it is being acknowledged that all those things which cause harm to the living, cause harm to the deceased, and it is thus

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obvious that all that which causes pleasure to the living also gives such pleasure to the deceased.’ (Ash’atul lam’aat vol 1 pg 292)

Our Ulama have mentioned that if a new road (pathway) has been created in the graveyard, it is haraam to walk on such a pathway. It is in the latter part of the Book of Purification in Shaami, from Tahtaawi that the Ulama have clarified that to walk on such a pathway that has been newly made in a graveyard, is haraam. (Raddul Muhtaar vol1 pg 229)

They also state, ‘To cut the grass (green) on the graves is makrooh for also long as it (the green grass) is fresh, it makes the tasbeeh of Allah. This grass gives comfort to the hearts of the deceased and the mercy of Allah descends upon them. It is however permissible to cut off grass that has dried already. One may trim this grass and take it to feed animals. It is disallowed to bring the animals into the graveyard to graze.’

It is in Raddul Muhtaar in the Book of Prayer for the deceased that it is makrooh to cut off green fresh grass from the graves and to remove dry grass is not objectionable, just as it has been mentioned in Bahr, Darar and Sharah Muniya. (Raddul Muhtar vol 1 pg 229)

In Imdaad, the reason for this which was mentioned is that for as long as the grass is fresh, it reads tasbeeh, which gives comfort to the deceased and this causes the mercy of Allah to descend. The same has been mentioned in Khaaniya. (Raddul Muhtar vol 1 pg 606)

It is in Alamgiri from Bahrur Raaqiq that if there is grass growing in the graveyard them one may trim it and take it with (for feeding), but one should not leave ones animals to graze therein. Fatawa Hindiya vol 2 pg 471)

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Rasoolullah (sallal laahu alaihi wasallam) once saw a person walking with his shoes on graves. He (sallal laahu alaihi wasallam) said, ‘O such sadness upon you, who is wearing Taif shoes. Throw away your shoes.’

Abu Dawood, Nisa’i and Tahtawi etc. have narrated from Bashir bin Khasasia and the words narrated are those of Imam Hanafi that the Holy Prophet (sallal laahu alaihi wasallam) once saw a person walking between the graves with his shoes on. He (sallal laahu alaihi wasallam) said, ‘May bad befall you, o’ one with the shoes. Remove your shoes!’ The shoes being mentioned here referred to those not made from hair, (in other words not soft shoes). Qaazi Iyaaz states, ‘The Arabs used to wear raw skinned shoes which still had hair on them and the people of Taif etc. wore shoes from skin that was tanned.’ (Tareekh Sibtata of Qaazi Iyaaz)

Faazil Muhaqqiq Hassan Sharnablali and his Ustaaz Allama Muhammad bin Ahmed Hamawi state, ‘That sound which is caused due to walking by the feet (with shoes) causes sadness (discomfort) to the deceased.’

It is for this reason that it has been mentioned in Miraqi ul Falaah, ‘My Sheikh Allama Muhammad bin Ahmed Hamawi Hanafi rahmatullah alaih informed me that the deceased feel discomfort due to the noise of one shoes.’ (Miraqi ul Falaah pg 342) - I say, ‘The proof of this will come soon on the authority of Aarif Tirmizi.

The Holy Prophet (sallal laahu alaihi wasallam) said, ‘Verily it is better for a person to sit on fire so much so that it burns through his clothes and reaches his skin, rather than him sitting on a grave. This is narrated from Muslim, Abu Dawood, Nisa’i and Ibn Majah on the authority Sayyidina Abu Hurairah (radi Allahu anhu)
Ammara bin Hazm (radi Allahu anhu) says, ‘The Holy Prophet (sallal laahu alaihi wasallam) saw me sitting on a grave and he (sallal laahu alaihi wasallam) said, ‘O you who is sitting on the grave! Get off the grave. Do not cause discomfort to the person in the grave, and he will not cause harm to you.’

Tahaawi narrated from Ma’aani ul Asaar and Tibraani narrated in Mu’jim Kabeer with the merit of a Hassan narration and Haakim and Ibn Munda narrated from Ammara ibn Hazm that he says, ‘Rasoolullah (sallal laahu alaihi wasallam) saw me sitting on grave and he (sallal laahu alaihi wasallam) said, ‘O you who is sitting on the grave. Get off the grave and do not cause discomfort to the deceased and he will not cause harm to you’ The words of Imam Hanafi is, ‘so that he may not harm you’ (Sharhe Ma’aanil ul Asaar vol 1 pg 346)

Imam Ahmed (rahmatullahi ta aala alaih) said as follows in his Musnad, ‘Rasool (sallal laahu alaihi wasallam) saw Amr bin Hazm leaning against a grave and said, ‘Do not harm the person in the grave’, just as it has been narrated in Mishkaat. (Mishkaatul Masabih vol 1 pg 149) - I say, ‘From this Hadith it is evident that the explanation of Imam Abu Jafar does not hold solid in this issue.’

Sheikh Muhaqqiq (rahmatullah alaih) states in Sharh, ‘Possibly it means that his soul becomes displeased. It also could mean that by leaning against the grave the deceased feels insulted.’ (Ash’atul Lam’aat vol 1 pg 699) - I say, ‘According to this statement Imam Allama Muhadith Arif Billah Hakeemul Ummat Sayyidi Muhammad bin Ali Tirmizi stated a decision. He explains that, ‘The souls come to know the disrespect and insult that is being caused to them and thus feel hurt.’

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Sayyidi Abdul Ghani states in Hadiqa from Nawadir, ‘It means that the souls feel the disrespect and insult and are thus saddened by this.’ (Hadiqa vol 2 pg 505)

Huzoor-e-Aqdas (sallal laahu alaihi wasallam) says, ‘I feel it is better to walk on fire or on a sword or to string together my feet with my shoes rather than walking on the grave of someone.’ This has been narrated in Ibn Majah from Uqba bin Aamir (radi Allahu anhu). The merit of this narration is acceptable just as Munziri has verified. (Sunan Ibn Majah pg 113)

Abdullah ibn Mas’ood (radi Allahu anhu) states, ‘Verily I feel it is better for me to place my feet in fire rather than walking on the grave of a Muslim.’ Tabraani has narrated this in Mu’jam Kabeer on the merit of it being a sound narration, just as Abdul Azeem has mentioned. (At Targheeb Wat Tarheeb vol 4 pg 372)

Someone once asked the same great Sahabi about the issue of keeping ones foot on a grave. He said, ‘Just as I feel that it is Makrooh to cause pain to a Muslim during his life, I dislike him being hurt after he passes away.’ Saeed ibn Mansoor has reported this narration in his Sunan, just as it is evident from Sharhus Sudoor (Sharhus Sudoor pg 126) - I say, ‘It has become evident from these Hadith that the way that we have taken is the right way and the explanation of Abu Jafar (rahmatullah alaih) is not appropriate in this instance. Thus, we are complying with the manner that is evident in the wide-ranging books, since these receive strength through the clear indication made mention in Hadith, and also for this reason, that it is the statement of the majority (of the learned scholars), since the Ulama have clarified one should act upon that which is agreed upon by the majority (of the learned scholars) and also this, that one can not decline such a narration which is according to knowledge and logic. (After knowing all this), what reason would there be to decline

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such evidence which is clear, well known, evident and unanimously agreed upon? It is through this, that the opinion of the Allama is recognised as a weak opinion. Now take heed to the following.’

It is from the very Ahadith where our Ulama (rahmatullahi ta aala alaihim) have mentioned that it is totally disallowed to step on a grave or sit on it etc. without a very valid reason as they have regarded these actions as disrespect and insult to the deceased.

It is in Nawadir, Tuhfa, Bada’i and Muheet etc. that (Imam) Abu Hanifa has said it to be Makrooh to walk on a grave, sleep on it, trample it and to answer call of nature on it. Ibn Ameer Al Haaj has stated the same in Huliya.

I say, ‘When the abomination is absolute, then the meaning is that of an abomination which reaches the level of prohibition. This is as per the explanation of the Fuqaha (Learned Jurists). There is also supportive evidence from the opposite, which has been mentioned in the Hadith about the issue of discomfort and harm that is caused (to the deceased), and definitely to cause harm is Haraam and this is the logical interpretation according to the Deen, no matter what anybody else says.

It is in the footnotes of Tahtawi ala Sharah Noorul Izaah from Siraaj Wahaj as follows: ‘If there is a path way over a grave, then to walk on it is only allowed in absolute necessity.’ I say, ‘From this too, it is evident that our statement of abomination on the level of prohibition (tahreemi) is correct since the crux of that which has been presented is contrary to the said narration and in accordance with the consensus of the Ulama, since it is clarifying that to walk on the grave without an absolute valid reason is not permissible and it must be noted that even the most moderate level of impermissibility is regarded as Makrooh-e-Tahreemi.

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Sayyid Abdul Ghani Naalblisi states in Hadiqa Nadiya, ‘My father has mentioned in the Sharah of Darar that to trample on a grave is Makrooh, just as it has been mentioned by ibn Mas’ood (radi Allahu anhu).’ He then further explained the same signs that we have mentioned.

It has been transcribed from Muheet as follows: To trample on the grave with the feet and to sit on it is Makrooh. The reason for stipulating trampling with the feet was made clear so that it is not applied as the same (ruling) as being intimate (by a grave).

I say, ‘Even to be intimate (sexually) by a grave is disallowed and this is even more detested, since this is much more disrespectful and insolent. It is like having intercourse on the roof of a Musjid. By doing such a (corrupt) action also shows that one has forgotten death.’ It is in Jaami’ul Fatawa that the sand on the grave is the property of the deceased, thus it is not permissible to trample on it. It is in Mujtaba, ‘It is Makrooh to walk on the graves.’ It is in Shar’atul Islam and in its annotation as follows: ‘One should not trample on a grave with ones shoes as the Prophet (sallal laahu alaihi wasallam) noted this to be Makrooh.’

Shamsul A’ima Halwani stated that to do so is Makrooh and Imam Ali Tarjamani states, ‘One who tramples on a grave is a sinner, since the top of a grave is the property of the deceased.’

I say, ‘These statements too support our ruling of it being an abomination to do so (walk on graves etc.), since there is no sin in that which is Makrooh Tanzeehi. Tanzeehi is only that which is contrary to the better way of doing something (Khilaaf Ulaa). (Note: The mere fact that it is regarded as a sinful act is sufficient evidence to say it is Tahreemi and not Tanzeehi). Thus, (to say) that Nabi

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(sallal laahu alaihi wasallam) did this intentionally to show permissibility (is not acceptable) as Nabis do not intentionally (or unintentionally) commit sin as they are Masoom from this and that which takes one towards sin is totally impermissible. What then is this issue of trying to prove permissibility?

This is now brought together on the basis or being allowed just as it is in Raddul Muhtaar on the narration of ibn Mas’ood and it is clear that sin and permissibility can not be combined. The Ulama explain this (disrespect of graves) as a wretched action. Now which wretched action is worse than sin? It is compulsory (Waajib) to abstain from that which makes one sinful and any action which is compulsory to abstain from, is regarded as close to Haraam and this is the same meaning as an abomination which is prohibited. Also it must be noted that the Fuqaha have made it clear that one who commits an act which is Makrooh Tanzeehi, is not responsible for any sin just as it is mentioned in Talweeh. We still however have belief in this, that if Allah wills, then he may punish even our small wrongs. Alhumdulillah these are seven proofs from which we have come to know that some of the scholars have made an inaccuracy by noting Tanzeehi as saghaair. However, Saahib-e-Bahr has made clear the fact that Tahreemi is from Saghaair (sinful - minor). Thus we should understand this and not be foolish.

It is in Noorul Izaah and its Sharah Miraqi ul Falaah as follows: ‘To visit the graves is Mustahab (a desirable action), but to tramp on the graves is disallowed. (Miraqi ul Falaah pg 340)

It is also in Miraqi ul Falaah as follows: ‘To trample on the graves with the feet is Makrooh since this is disrespectful. Qaazi Khan has stated that if a person sees a pathway in the graveyard and is not sure whether the pathway was there from before or not, then he should not

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walk on that pathway and if one does not have such a doubt, there is no objection in walking on the pathway.’ (Miraqi ul Falaah pg 342)

I say, ‘This too is evidence in support of our statement, because the only time it is permissible is when one does not have any doubt in ones heart that the pathway was built over graves. The clear meaning of this, is that if such a thought enters ones heart, then it becomes objectionable (to use that pathway). The statement of it being disallowed has already been presented on the authority of our Ulama, Shaami and Tahtaawi.

Allama Ismail Naablisi states as follows in the Sharah of Darar: ‘There is no objection in visiting the graves and making dua for the deceased, for as long as one does not trample on the graves (when visiting them) just as it is in Bada’i and Multaqat. (Al Hadiqa vol 2 pg 505)

It is in Tariqa Muhammadiya as follows: ‘From amongst the bad actions of the feet, is to trample on graves.’ (Tariqa Muhammadiya vol 2 pg 259)

Imam Allama Muhaqqiq alal Itlaaq objects to those people who trample over the graves of others to go to the graves of their parents and family members. He says that they should rather stand at the edge of the graveyard and make dua for them rather than trampling over graves to get to the graves of their loved ones.

It is Fathul Qadeer: ‘To sit on the graves and to trample on them is Makrooh. Thus, those who have other people buried near their relatives should not trample over graves to reach the graves of their relatives as this is Makrooh.’ (Fathul Qadeer vol 2 pg 102)
Imam Muhadith Hafizul Hadith Abu Bakr bin Abi Daniya narrates from Abu Qulaba (radi Allahu anhum) as follows: ‘I was on my way to Basra from Syria. I arrived in Khandaq that night. On arriving, I made wudhu and performed two rakaats Nafl Namaaz. I then placed my head on a grave and fell asleep. When I woke, I suddenly heard the voice of the deceased complaining to me. He was saying, ‘You caused discomfort to me the entire night.’’ (Sharhus Sudoor pg 128)

Ibn Abi Daniya and Imam Baihaqi narrated in Dalaailun Nabuiwat from Hazrat Uthman Nahdi who narrated from Meena Taabi’ee as follows, ‘I went to a graveyard. I read two rakaats Namaaz and fell asleep in the graveyard. By Allah! I was wide awake when I heard the deceased saying, ‘Get off my grave for you have caused me discomfort.’’ (Dalaailun Nabuiwat vol 7 pg 40)

Imam Haafiz ibn Munda narrates from Qaasim bin Mukhmeera as follows, ‘A certain person placed his feet on a grave, when he heard the following words from the grave, ‘Move away from me and stop hurting me.’ (Sharhus Sudoor pg 126) Both these narrations have been quoted by Imam Suyuti in Sharhus Sudoor. I say, ‘Both these narrations support the view of our Ulama, which is contrary to the opinion of Imam Abu Jafar and some of the younger followers of his. This Faqeer (Aala Hazrat) heard the following from Hazrat Sayyidi Abul Hussain Noori (rahmatullah alaih), ‘Near our town in Marehrah Mutahira, there is a jungle in which there are the graves of martyrs. There was a person who was taking his buffalo there and a portion of the ground there was very soft in this area. Due to this, the legs of the buffalo started to sink into the sand. He realised that there was a grave there. Just then a voice was heard from the grave, saying, ‘O Person! You caused me pain. The foot of your buffalo stamped on my chest.’ (This is also an excellent incident showing the exalted life that Allah has bestowed upon the martyrs)’

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Now Alhumdulillah the command is as clear and evident as the brightness of the sun. The Holy Prophet (sallal laahu alaihi wasallam) stopped us from sitting, walking and leaning on graves, and the Ulama have on the basis of this, said that it is haraam to walk on a pathway created over graves so that one does not place the feet on the grave, and they have given us the command not to place our feet on the graves, and that we should not sleep by the graves.

It is Sunnat that even when visiting the graves, we should not sit there (by leaning etc.). The actual respect is that we should not even go too close (so as to avoid disrespect). The Ulama have also mentioned (as quoted earlier) that it is allowed to feed the grass from the graveyard to animals, but the animals should not be brought to graze into the graveyard, but rather the grass must be trimmed and taken to the animals. The (above mentioned narrations of the Ulama) have also clarified that the deceased are respected in the same way as the living and the deceased feel discomfort from those actions which cause discomfort to the living.

They have also clarified that it is haraam to cause discomfort and pain to the deceased. It is thus clear that the question which was addressed in the initial query is now clear, and to do such actions is totally disrespectful and insulting to the deceased and is a means of sin and punishment. If one builds houses on the graves (after they have been flattened), then it would mean that one is walking, sitting, eating, answering the call of nature, being sexually intimate and trampling etc. on the graves and these all become immodest actions as they are now being done on the grave of a Muslim and are causing the deceased much pain and discomfort. No immodest act will be left out if one does so (builds houses on the gravesite). (Almighty Allah protect us from this).

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The Ulama have stated, ‘There is always one Wali present, where there are forty Muslims gathered together’, just as Allama (Manaawi rahmatullah alaih) has stated in Tayseer Sharah Jaame Sagheer.

It is thus very clear that there are scores of graves in a Muslim graveyard and only Allah knows what kind of a personality is buried in which of the graves. Then as per necessity, there will also be pious servants of Allah buried in this graveyard and there is an excellent chance of this after death, since there are numerous people who were not very pure in their lives, but are purified and exalted after their death. The Holy Prophet (sallal laahu alaihi wasallam) said, ‘Death is compensation for the sins of every (sunnii) Muslim. Abu Nuaim and Baihaqi have stated in Shu’bul Imaan from Anas (radi Allahu anhu) and Allama Suyuti stated that Ibn Arabi has accepted this as correct and completely sound.

On the same token, the Holy Prophet (sallal laahu alaihi wasallam) said that the sins and evil actions of a blatant sinner should be announced, so that the people stay away from him. Imam Ahmed

Ibn Abi Daniya has stated in Zamul Gheiba and Tirmizi has stated in Nawaaadir and Haakim in Kani and Sheraazi in Ilqaab and Ibn Adi in Kaamil and Tabraani in Kabeer and Baihaqi in Sunan and Khateeb in Taarikh, whereas all of them have reported from Jaarood who reported from Bahaz bin Hakeem who in turn reported from his father and his grandfather (paternal) narrated from Nabi (sallal laahu alaihi wasallam), ‘Are you afraid of speaking out about an open sinner. How will the people then recognise him? Announce the evils of a Faajir (open sinner) so that people may be saved from him.’ (Nawadirul Usool pg 213)

Now, after a person passes away (with Imaan), he should not be slandered and his bad doings should not be exposed as he has
reached the end of his actions. Imam Ahmed, Bukhari and Nisa’i have narrated from Sayyida Aisha Siddiqa (radi Allahu anha), who in turn narrated the Prophet (sallal laahu alaihi wasallam) as saying, ‘Do not speak ill of your dead since they have reached the point of their recompense.’ (Sahih Bukhari vol 1 pg 187)

Abu Dawood, Tirmizi, Haakim and Baihaqi have narrated from ibn Umar who reported the Prophet (sallal laahu alaihi wasallam) as saying, ‘Discuss the praiseworthy actions of your dead and do not discuss their bad.’ (Sunan Abi Dawood vol 2 pg 315)

Nisa’i narrated with merit from Sayyida Aisha Siddiqa (radi Allahu anha) that the Prophet (sallal laahu alaihi wasallam) said, ‘Remember your dead kindly.’ (Sunan Nisa’i vol 2 pg 963)

Now, if the person who is doing this (wanting to build houses on the gravesite) does not abstain from this evil action, then not only is he causing disrespect to the graves of ordinary Muslims, but he is being disrespectful to the Awliyah Allah (that are resting there), and this means that he is causing calamity to befall him, which befalls one who makes gustakhi (shows disrespect) to the Awliyah. The Holy Prophet (sallal laahu alaihi wasallam) says that Almighty Allah says, ‘One who makes enmity with anyone of my Walis has waged war with Me.’ Imam Bukhari (radi Allahu anhu) has narrated this on the authority of Abu Hurairah (radi Allahu anhu). (Sahih Bukhari vol 2 pg 963)

I say, ‘As evidence, the narration from Sahih is sufficient even though the persons in question may have their doubts.’

However, it is necessary upon those who wish to do such an action to have mercy on their selves and fear the wrath of Allah. They must abstain from causing pain and discomfort to the deceased, for one
The Holy Prophet (sallal laahu alaihi wasallam) said, ‘You will pay just as you have done.’ This has been narrated by ibn Adi in Kaamil from ibn Umar and Ahmed narrated in Musnad from Abi Darda and Abdur Razzaq narrated in Jaame from Abu Qulaaba on the merit of Mursal and the latter two say that this is a portion of a Hadith. I am saying, ‘There are numerous testimonies relating to this Hadith and it is from the exaltedness of the Prophet (sallal laahu alaihi wasallam).

These ignorant people have not understood the excellence of the deceased. They think that the dead are like stones. They have died and have turned to dust. They feel that the dead do not hear or understand anything anymore and nor do they attain any comfort or discomfort and whenever they can, they try to remove from the hearts of the believers the respect for the graves of the deceased.

SECTION TWO
Bismillahir Rahmaanir Raheem

The Query: What do the Learned Ulama-e-Deen (rahimu humullahu ta aala) concerning this issue: There are some old graves and the remainder one third of land is vacant and after asking the elders of the area who are between 80 and 100 years old about this place, they say that for as long as they can remember, no person was ever buried in that said portion of vacant land. A few Muslims have decided to build a Madrasa and Library on this empty land and they have asked the authorities to permit them to do so. After making enquiries, the Haakim (Person in Authority) confirmed that no one had been buried there before and thus granted permission for the necessary construction to go ahead. Is it allowed to build a Madrasa and Library on this place or not? And whilst digging the foundation of

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the Madrasa if somehow any bones etc of the deceased are found, then what should be done?

The Verdict: There is no changing that which has been made Waqf (donated for specific religious reason). It is not acceptable to change something for another reason if it was made waqf for a specific reason only. Just as one can not make a Musjid or Madrasa, a graveyard, one can also not make a graveyard a Musjid, Madrasa or Library. This is not halaal (allowed).

It is in Siraaj Wahaaj and then in Fatawa Hindiya as follows: ‘It is not permissible to change a Waqf from its original condition. Thus, a house can not be turned into a garden. A place for lodging of visitors can not be turned into a bath and a hospice can not be changed into a shop as all this is impermissible (if it was made waqf). However, if the person making the Waqf, leaves the discretion of the affairs of the said waqf property to the nominated trustee, that he may run the affairs as he deems fit for the benefit of the waqf, and then only is it permissible (to make any change).

I must say, ‘When the changing of one condition is not allowed, then how can the changing of the actuality occur. The fact that no one has been buried in that portion of the graveyard for more than 100 years does not cause it to seize from being a graveyard. According to the statement of Imam Abu Yusuf (rahimu hulaahu ta aala) all the Waqif (one giving the property etc) needs to say is, ‘I have made this Waqf for the burial of Muslims or I have made this land, graves of Muslims, then the entire land becomes a graveyard even though one single person may not have been buried there, and according to the statement of Imam Muhammad, The burial of even one person in that ground makes the entire area a graveyard.

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It is in As’AAF and then in RADDUL MUHTAAR, ‘To give something (in trust etc.) is according to its merit and prestige. So the graveyard is for the purpose of burial of a person, the water distribution area (or vessel) is for the purpose of drinking a sip of water and the inn is a place to stay at. (RADDUL MUHTAR vol 3 pg 405)

TRANSLATOR’S NOTE: AALA HAZRAT (RADI ALLAHU ANHU) THEN PRESENTED EVIDENCE FROM HINDIYA, SHAAMI AND HIDAAYA ETC. TO SHOW THE PRINCIPLE RULES OF A WAQF. THIS IS ONLY BEING MENTIONED IN BRIEF AS THE ACTUAL EXPLANATION IS NOT FOR PUBLIC UNDERSTANDING. HE THEN CLOSES THIS VERDICT WITH THE FOLLOWING WORDS:

‘IN THE SAID CASE, IT IS NOT PERMISSIBLE TO BUILD A MADRASA OR A LIBRARY ON THE SAID LAND, EVEN THOUGH NO BONES OF DEAD PEOPLE ARE FOUND THERE. IF HOWEVER, BONES ARE UNEARTHED, THEN THIS IS AN EVEN MORE SERIOUS ISSUE, AND DISALLOWED, AS IT WOULD BE OPENLY SHOWING DISRESPECT TO THE GRAVES OF MUSLIMS, JUST AS I HAVE EXPLAINED IN MY BOOK AL AAMR BI IHTIRAAMIL MAQAABIR. (AND ALLAH KNOWS)

TRANSLATOR’S NOTE: THE REMAINDER OF THE SECOND SECTION OF THIS BOOK DEALS WITH ISSUES OF OTHER QUESTIONS SENT TO AALA HAZRAT ON THE ISSUE OF WAQF OF THE GRAVEYARD BY A SUNNI AALIM MOLVI AHMED HASSAN WHEREIN HE ALSO SENT VERDICTS OF NON-SUNNIS LIKE RASHEED AHMED GANGOHI ETC. WHERE THEY BELIEVED THAT A WAQF COULD BE CHANGED.

AALA HAZRAT AZEEMUL BARKAT (RADI ALLAHU ANHU) REFUTES THEIR FALSE VERDICTS IN THIS SECTION PROVING BEYOND ANY DOUBT THAT A WAQF CAN NOT BE CHANGED AND THE WAQF IS ACTUALLY THE LAND THAT HAS BEEN GIVEN. HE ALSO EXPLAINS THE IMPORTANT FACT THAT ONCE SOMETHING HAS BEEN MADE WAQF, IT CAN NOT BE MADE WAQF FOR ANOTHER PURPOSE AGAIN. ALL THE EVIDENCE PRESENTED BY AALA HAZRAT (RADI ALLAHU ANHU) ARE OF VERY

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firm sources and due to these discussions being Aalimana (more for the scholars, the actual discussions have been omitted).

Aala Hazrat (radi Allahu anhu) then concludes this book as follows:

The actual issue here is that the wahabis feel that the graves of ordinary Muslims and more so the Mazaars of the Awliya-e-Kiraam alaihimur ridwaan have no real value. They actually prefer that the graves are disrespected and the look for the slightest excuse to bulldoze and flatten the Mazaars of the pious servants. According to them, humans are like stones. They have no real value once they are dead, like when they were alive. They say it in the sense that they (the deceased) cannot hear, see or be of any use to us. The Shariat not only explains the excellence of the graves of the Awliyah Allah, but also of the graves of the ordinary Muslims. The Ulama have stated that the graves should be respected and not disrespected. The Ulama have stated, ‘To keep the foot on the grave is a sin since the roof of the grave is the right (property) of the deceased.’

It is also in Fatawa Quniya that to keep the foot on the grave is a sin as the top of the grave is the property of the deceased.

Our Prophet’s (sallal laahu alaihi wasallam) Naalain Shareef is so exalted that if its blessed dust had to fall on the grave of any Muslim, then the entire grave will be fragranced with the Musk and Amber of Jannat and if he has to place his blessed foot on the chest, head and eyes of the believers, then that fortunate person will be drowned in its pleasure and beauty forever. The very same Prophet (sallal laahu alaihi wasallam) says, ‘I would rather walk on fire or on a naked sword rather than walking on the grave of a Muslim.’ Ibn Majah narrated this Hadith from Uqba bin Aamir (radi Allahu anhu).
The Wahabis (after all this) are only thinking about how they can build houses on gravesites, where people will walk, sit and answer the call of nature. It this is what they prefer then let this be for them.

All the Might and Power is for Allah. Now that I have explained the laws clearly and as they should be, then I should now stop my writing by praising Allah, for it is He, who has given us knowledge, and Durood and Salaams upon our Master and Leader Hazrat Muhammad (sallal laahu alaihi wasallam) and upon his Noble Family, and Distinguished Companions.