o In this lesson the following topics will be covered:

   o **Terminology – Full, Conasanguineous, Uterine**

   o **Sister's class general rules**

   o **Sister full's share**

o This lesson is difficult to understand

o But go through this class again and again till you master it.

# Collaterals Sf, Sc, Su, Bu

o  3sisters and 1 brother are included under fixed  heirs

o  These are secondary heirs

o  Excluded by S, SS, SSS, F

o  Full Brother exclude consanguineous Brother & Sister

o  Uterine Br & Sr are not affected by full or consang. Br & Sr

**Sf** : **Sister full**,

Sister from same father & mother

**Sc** : **Sister consanguineous** or **paternal half sister**,

Same father but different mothers

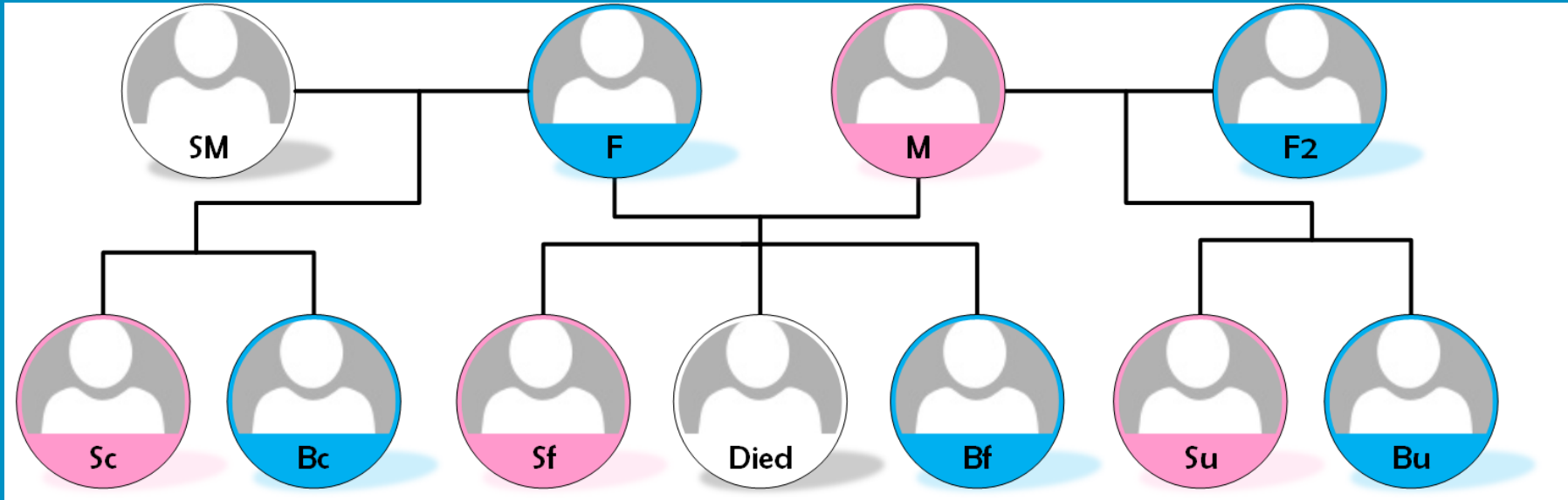**Su** : **Sister uterine** or **maternal half sister**,

Sister from same mother but fathers are different

**Bu** : **Brother uterine** or **maternal half brother**,

Same as sister uterine

Brother from same mother but fathers are different

# Terminology Full & Consanguineous



F=father, M=mother, SM=stepmother father's second wife,

F2=mother's previous husband before getting married to father,

Sf=sister full, Bf= brother full, Sc,Bc=sister and brother

**Sf & Sc**

**Surah a'nisa verse 176** is the basis as told by prophet(SAS)
and quoted by Aboobacker(RA).

Jabir was asking about the sisters share and the present verse was revealed.

**Sisters class** is almost **similar to daughters class**

   **Sf** is **like D**, **Sc** is **like SD**

# Sisters Class - General Rule

1. **S, SS, SSS, F** exclude them

2. In the presence of **equal male counterparts** they become **residuaries**.
   E.g.. Bf & Sf and Bc & Sc. With double share to male.

3. If **single** she gets **1/2**

4. If **2or more than 2** they get **2/3** equally divided

5. If **Sf +Sc** ,then **Sf will get 1/2** and balance of 2/3 i.e. **1/6 goes to Sc**

6. If **Sf are more than 2** then **Sc gets excluded**.

7. In association **with D or SD** they become **residuaries**.

**Hudail B. Shurahbil reports.**

Once Abu Moosa al ashaari was approached for share of

**D, SD, Sf**

He told D will get 1/2 and Sf will get 1/2.

Then when Ibn Masoud was approached he said it  is against

prophets verdict which says:

**D will get 1/2 SD =1/6 and Sf = balance = 1/3**

# Sister full - Shares

| 1. | Presence of S, SS.. F, | **Nil** |
|----|------------------------|---------|
| 2. | With TGF | **Hanafi- - Nil** <br> **Other-Diff schemes.** |
| 3. | No S, SS… F, TGF <br> With Bf | **Balance with Bf** <br> **1:2** |
| 4. | No S, SS.. F,  Bf, TGF <br> With D /SD | **Balance alone** |
| 5. | Single <br> No S, SS…,F, TGF , Bf, D/SD | **1/2** |
| 6. | 2 or more <br> No S, SS.. F, TGF, Bf, D/SD | **2/3** |

For easy remembrance of SF share follow these guidelines.

o  It is better if the **order of balance heirs** is learnt first and remembered.

o  Once the order of balance heir is learnt remembering the SF share becomes easy.

# Order of Balance heirs

|  | Order of Balance heirs |
|---|---|
| **Descendants** | **S** (Son) |
|  | **SS** (Son's son) |
|  | **SSS** (Son's son's son) |
| **Ascendants** | **F** (Father) |
|  | **TGF** (True grand father) |
| **Collaterals** | **Bf** (Brother Full) |
|  | **Sf**  in the presence of D/SD/SSD |

o The order of **balance heirs** is such that **whoever is first in the list will inherit the balance**. If first one is not there second in the list will inherit.

o In the list above **if S is alive all others will be excluded** for balance heir. If S is not alive SS will take the balance and likewise next in the list.

# Effect of Balance heirs

| | |
|---|---|
| **S** | S is alive He will take the balance |
| **SS** | If S is not alive SS will be balance heir |
| **SSS** | No S, SS then  SSS is balance heir |
| **F** | No S, SS, SSS then  F is balance heir |
| **TGF** | No S, SS, SSS, F then  TGF is balance heir |
| **Bf** | No S, SS, SSS, F, TGF then  Bf is balance heir |
| **Sf** | No S, SS, SSS, F, TGF, Bf but D/SD/SSD alive Then Sf is the balance heir |

In the next slide see how these balance heirs affect the shares of Sf.

Slide after next it is simplified further for easy remembrance
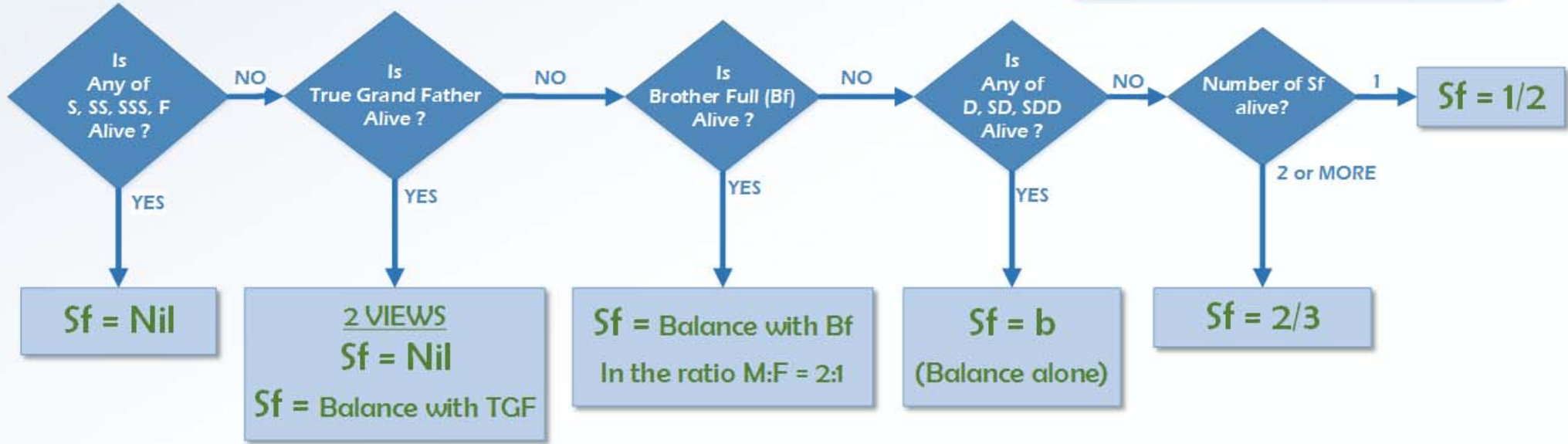
# Effect of Balance heirs on Sf

| Balance heirs | Condition | Sf share |
|---|---|---|
| S | S is alive | **Nil** |
| SS | No S but SS alive | **Nil** |
| SSS | No S, SS but SSS alive | **Nil** |
| F | No S, SS, SSS but F alive | **Nil** |
| TGF | No S, SS, SSS, F but TGF alive | **Two opinions  1. Nil 2. Balance with TGF** |
| Bf | No S, SS, SSS, F, TGF but Bf alive | **Balance with Bf** |
| Sf | No S, SS, SSS, F, TGF, Bf but D/SD/SSD alive | **Balance alone** |
| | None from above alive | **Single = 1/2** |
| | | **Two or more = 2/3** |

# Sf Share – Easy to remember

**ISLAMIC inheritancelaws.com**

| Balance heirs | Sf share |
|---|---|
| S | Nil |
| SS | Nil |
| SSS | Nil |
| F | Nil |
| TGF | Two opinions  1. Nil<br>2. Balance with TGF |
| Bf | Balance with Bf |
| **Sf** (if D/SD/SSD present) | **Balance alone** |
| If **No S, SS, SSS, F, TGF, Bf, D, SD, SSD** | **Single = 1/2** |
| | **Two or more = 2/3** |

**Learn and remember this well**

HOW TO FIND SISTER FULL's (Sf) SHARE?

Is Any of S, SS, SSS, F Alive? — NO → Is True Grand Father Alive? — NO → Is Brother Full (Bf) Alive? — NO → Is Any of D, SD, SDD Alive? — NO → Number of Sf alive? — 1 → $Sf = 1/2$

YES ↓ Sf = Nil

YES ↓ 2 VIEWS
$Sf = Nil$
$Sf = Balance with TGF$

YES ↓ $Sf = Balance with Bf$
In the ratio M:F = 2:1

YES ↓ $Sf = b$
(Balance alone)

2 or MORE ↓ $Sf = 2/3$

# Sf - Problem Solving

Now solve the following cases. Living heirs are given.

Find the share of Sf only.

Confirm that they are correct by looking at the answers in the next slide

| | | | |
|---|---|---|---|
| 1. | Bu, Su, Sf, Bf, W | 8. | D, Sf, BS (Exception Agnatic heirs rule) |
| 2. | D, SD, 3Sf | 9. | 3D, 2Sf, Bc. |
| 3. | W, M, Sf, Sc | 10. | D, SD, Sf |
| 4. | W, M, 2Sf, Sc | 11. | SD, SSD, H, Sf, Sc |
| 5. | W, M, Sf, Sc, SS | 12. | 2D, H, M, Sf |
| 6. | M, W, Sf, Bf, Sc, Bc | 13. | H, M, D, SD, Sf |
| 7. | M, W, Sf, Sc, Bc | | |

In problem solving cases relations mentioned are to the person died (male/female).

E.g. H, F, D means lady has died leaving the husband, father and daughter.

# Sf - Problems - SOLUTIONS

| No. | Question | Answer |
|-----|----------|--------|
| 1. | Bu, Su, Sf, Bf, W | Bu+Su = 1/3 (1/6each), W = 1/4<br>Bf+Sf = bal = 5/12, Bf = 10/36 |
| 2. | D, SD, 3Sf | D = 1/2, SD = 1/6 (Total = 2/3)<br>3Sf = balance =1/3, Sf = 1/9 = 2/18 |
| 3. | W, M, Sf, Sc | W = 1/4, M = 1/6, Sf = 1/2, Sc = 1/6 |
| 4. | W, M, 2Sf, Sc | W = 1/4, M = 1/6, 2Sf = 2/3, Sc = Nil |
| 5. | W, M, Sf, Sc, SS | W = 1/8, M = 1/6, Sf = nil, Sc = nil,<br>SS = balance = 17/24 |
| 6. | M, W, Sf, Bf, Sc, Bc | M = 1/6, W = 1/4, Sf+Bf = balance, Bc+Sc = Nil |
| 7. | M, W, Sf, Sc, Bc<br>(as above , no Bf) | M = 1/6, W = 1/4, Sf = 1/2,<br>Bc+Sc = balance = 3/36 (Bc = 2/36) |

*Note: Actual shares may vary, after considering other heirs.*

*Shares vary when Radd or Awl is required to be applied.*

| No. | Question | Answer |
|---|---|---|
| 8. | D, Sf, BS (Exception Agnatic heirs rule) | D = 1/2, Sf = balance =1/2, BS = nil, excluded by Sf |
| 9. | 3D, 2Sf, Bc.(If D is not there this rule is not valid) | 3D = 2/3, 2Sf = balance =1/2, Bc = nil, excluded by Sf |
| 10. | D, SD, Sf | D = 1/2, SD = 1/6, Sf = bal = 1/3 |
| 11. | SD, SSD, H, Sf, Sc | SD = 1/2, SSD = 1/6, H = 1/4 Sf = balance = 1/12, Sc = nil -excluded |
| 12. | 2D, H, M, Sf | 2D = 2/3, H = 1/4, M = 1/6 2Sf = balance = nil (Awl effect) 2D = 8/13, H = 3/13, M = 2/13 |
| 13. | H, M, D, SD, Sf | H = 1/4, M = 1/6, D = 1/2, SD = 1/6, Sf = balance = nil. (Awl effect for Others) |

*Note: Actual shares may vary, after considering other heirs.*

*Shares vary when Radd or Awl is required to be applied.*

| Pr./Sec | Secondary Heir |
|---|---|
| Excluded by | F, TGF ?, S, SS, SSS |
| Excludes | More than 2 exclude Sc, <br> With D/SD Exclude Sc & Bc (As residuary) |
| Share fraction | Refer back |
| Effect on others | Reduces share of mother. |
| Effect of others | D &SD covert her into Residuary <br> Bf converts her into Residuary |
| Effect of Awl | Share reduces |
| Effect of Radd | Eligible |
| Special occasion | With TGF |

ربنا تَقَبَّلْ مِنَّا إِنَّكَ أَنْتَ السَّمِيعُ الْعَلِيمُ

وَتُبْ عَلَيْنَا إِنَّكَ أَنْتَ التَّوَّابُ الرَّحِيمُ

اللهم اغفر لنا، يا أرحم الراحمين

ربنا آتنا في الدنيا حسنة وفي الآخرة حسنة وقنا عذاب النار

ربنا ظلمنا أنفسنا وإن لم تغفر لنا وترحمنا لنكو نن من الخاسرين

اللهم صلِّ وسلِّم وبارك على عبدك ورسولك محمد سيد الأولين والآخرين، وعلى آله وصحبه أجمعين