



Central Moon Sighting Committee of Great Britain (Jamiatul Ulama Britain, Darul Uloom Bury, Hizbul Ulama UK)

Fatwaa from Darul Uloom Deoband for Testimony from Three Witnesses' Sighting of Hilal of Ramadhan 1431 in Birmingham

Dear Reader Brothers & Sisters

Assalamu alaikum Warahmatullah Wabarakatuh

You will remember that last year, the Hilal for Ramadhan 1431 was sighted after Maghrib salaah on Tuesday 10th August 2010 in Birmingham by three pious brothers one of whom was a qualified Scholar, one Hafiz of Qur'an, and one attached to the effort of D'awah and Tablig. They gave Testimony of this Hilal sighting to few Musallies, and to Imam of the Mosque Moulana Abdur Rab sahib. **Afterwards, members of Britain's Central Moon Sighting Committee of Great Britain (CMSC) met them in Birmingham and took their signed Testimony face to face, and the CMSC publicised it in Urdu and English for the knowledge of the general public.** This can be seen even today on Hizbul Ulama Website. At the same time, the CMSC also announced the obligation upon those who counted 30 days of Shaban, to make Qadha of the missed Fast of first Ramadhan, and mentioned the grave sin associated with not making qadha of Fardh Fast.

You may also remember that few people declared that Testimony to be doubtful and slanderous because the sighting was against the Astronomical calculated predictions and the announcement was delayed by one week. This was despite the fact that the authenticity and trustworthiness of these three brothers and their Testimony was upheld and testified by not only the members of the CMSC who met them, but also by local Ulama and pious people. Fataawa from senior Jurists were also quoted authenticating such Testimony, and the need to practice accordingly. Despite all this, they continued their effort to reject the Testimony, and to ridicule senior Ulama and pious people till well after Ramadhan to such an extent that those who wished to make Qadha of their missed Fast were forced to say that the burden of their not making Qadha will be upon those who prevented them from doing so. Eventually a question was sent on 1st Muharram 1432 to Darul Uloom Deoband together with a copy of the signed Testimony. A detailed Fatwa dated 6th Safar 1432 (10.01.2011) from Darul Iftaa of Deoband Darul Uloom was received.

The Fatwa from Darul Uloom Deoband shows

1. Prophet s.a.w has based the establishment of Hilal on **actual sighting** and **not on the Astronomical Calculations based on new Moon theory.**
2. In Shariah, the **Astronomical Calculation** can not be used to **test** the authenticity of Hilal because Shariah has **rejected** use of **Calculations** for Hilal
3. In **Islam**, the **Foundation** of Hilal **Sighting** has **never** been based upon **Astronomically Calculated predictions** of Sighting Possibility.
4. It is a **Legal necessity** (by Shariah) to **accept the Testimony of Sighting in Birmingham**, and **follow** accordingly
5. It is obligatory to follow the **Testimony** even if is received after **a week.**
6. The Fatwa has confirmed and accepted the Naked Eye **sighting**, and all the three witnesses to be **Just, reliable and Trustworthy**
7. The CMSC 's announcement for the need to make **Qadha of the missed fast** is completely in keeping with **Hadith and Fiqh**, and is **totally correct**
8. To give priority to **Astronomical Calculation** over the straight path established by Prophet s. is an **obvious error**, and the one who does so is a **grave sinner**
9. It is **necessary** for such people to leave their **own** non-Islamic views of pre-Islamic Astronomical Calculation method
10. It is **necessary** for those who use Calculations to override the **established** Prophetic method that they **must adopt** the Prophetic Straight path.

(See the translated Q.& Fatwa at next pages)



Central Moon Sighting Committee of Great Britain

(Jamiatul Ulama Britain, Darul Uloom Bury, Hizbul Ulama UK)

The translated Question from Urdu :

Muhtaram Hadhrat Maulana Mufti Sahab, Hafizahullah

Assalamu Alaikum Warahmatullahi Wabarakaatuhu

Here in the UK, on the eve of Ramadhan 1431, on the evening of Tuesday 10th August 2010 / 29th Shaban 1431, three brothers saw Crescent of Ramadhan in Birmingham. Their testimony was taken by a deputation of Central Moon Sighting Committee of Great Britain (CMSC) by visiting them personally in Birmingham.

Unique qualities of these witness is that all three of them are Sahabe Tarteeb (have not missed any namaz in their life), one of the witness is a qualified Islamic Scholar, second is Hafiz of Qur'an, and the third has been in the effort of D'awah in Tablighi Jmaat for a long time. Testimony of all the three witness was heard by our deputation meeting them face to face, and their signatures were taken on detailed testimony enclosed herewith.

It should be noted that prior to this, the CMSC has a record of 20 incidents of Hilal sighting in Britain, on the evening of 29th of the month, over the last 25 years (including one incident of sighting by 8 students from Darul Uloom Bury, and, another by 3 students from Darul Uloom Leicester). We have all these recorded on our Website. But, few people rejected this testimony by saying that it is doubtful and slanderous because,

- a. That sighting was against the Astronomical calculation and the New Moon theory, because according to Astronomical calculations, the sighting of Hilal was totally impossible on that evening,
- b. the CMSC took the testimony one week after the start of Ramadhan.

This is despite the fact that according to authentic Sources and Fataawa, there is no Sharai permissibility to reject the start of Ramadhan on such grounds.

After receiving this Testimony, the CMSC publicised your Fataawa (included on our Website) rejecting the influence of Astronomical calculations for establishing Hilal, and informed the public to make Qadha of this omitted Fast. BUT few people have declared that it is obligatory to accept calculations according to the New Moon Theory (philosophy of Meton - 430 BC) that was invented by introducing changes to the Shariah of Prophet Musa a. by Rabbi Helail II in 358 BC. They regard these calculations as 'Test' for validity of Testimony by quoting the verse ' **الشمس والقمر بحسبان** '

The Sun and the Moon follow calculated orbits'.

Thus they rejected this Testimony and refused to allow Qadha of the missed Fast. Thereby they used the philosophical theories from times before Islam and Prophet Isa a. against the authentic Sources, and which were rejected by Prophet s.a.w. in the Hadith Ummi. So the people who missed the Fast of 1st Ramadhan are in uncertainty, some saying that 'the burden of our not making the Qadha of missed Fast is upon those who are preventing us from making its Qadha'.

From the foregoing, following questions arise:

1. Is it permissible to reject the Birmingham's Hilal Sighting Testimony on the grounds of 'Testing in light of New Moon Theory'?
2. People who are making excuse that the burden of them not making Qadha will be upon those who prevent them from making Qadha of their missed Fast. Is such reasoning has Sharai validity? Or are they duty bound to make Qadha of their missed Fast.

Please reply and be rewarded.

Signed ; Molvi Yaqub Ahmed Miftahi (S.G. – Hizbul Ulama UK and CMSC of G. Britain)

1st Muharram 1432 / Tuesday 7th December 2010.



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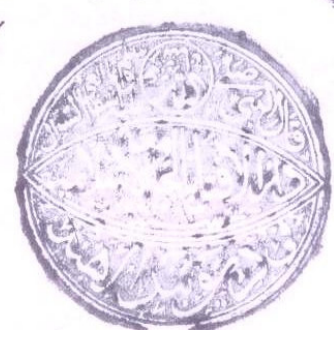
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بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

جوابت وبالہ التوفیق!۔ نمیب اسکیم میں رویت بدل کا اعتبار عین من پرہ لین رویت پر کیا جاوے
شرعی شہادت بالرویت پر رکنا گیا ہے کیونکہ یہی دونوں قطعی اور یقینی ہوتے ہیں۔ فلکیات کے حسابات پر
رویت بدل کے اعتبار کا مدار نہیں رکنا۔ کیونکہ یہ اس قانون کے بنائے ہوئے حسابات میں اگر کسی ہر وقت غلطی
کا امکان ہوتا ہے یہ قطعی اور یقینی نہیں ہوتے۔ جن علماء کرام نے فلکی حسابات کو یقینی خیال فرمایا ہے فقہاء
تأخرین نے ان کی نابلگی تردید فرمادی۔ چنانچہ عدوت یاج تحریر فرماتے ہیں ان المعول بہ فی المسائل
الثلاث ما تصدت بہ البینة من الشہادة نزل الشارح منغرة الیقین وما قالہ السبکی
مما ردوہ ردہ علیہ جماعة من المتأخرین، ولین فی العمل بالبینة مخالفة لصلوہ صلی اللہ علیہ
وسلم ورجہ ما قلناہ أن الشارح لم یعتمد الحساب بل الغاہ بالکلیة بقولہ نحن أمة أمیة
ولا نکتب ولا نحسب۔ الشرح ص ۱۱۱ اور ص ۱۱۲۔ (تأویذ ص ۳۹۰ لکھنؤ)

اے یہاں اگر کوئی ہے چاند نظر نہیں آتا اور برقیق میں چاند نظر آتا تو ان کی شرعی شہادت بالرویت
کو ماننا اور اس پر عمل کرنا حرام ہے کیونکہ خواہ شہادت کسی اور میں ہاں ایک ہی ہوتی ہو۔ ہر دو شہادت میں
وہ شہادت قبر سے وہ جوڑ دیتے ہیں اور اگر کوئی اور جیسے یہاں ہم غیر شرط ہیں۔ یہاں المبارک کے چاند کو نزدیک
مستبرک کی شہادت شرعی کافی ہوتی ہے یہاں فرات و اہل تہذیب اور سب لہو عادل ہیں۔ تینوں عینت میں یہی
ہیٹا ۲۹ شعبان کی رویت کا اعلان اور اگر کسی کو جو لوگوں نے ۳۰ کے حساب سے وہاں روزہ رکنا ان کے لئے ایک روزہ
کی تھا کا اعلان بالکل درست اور حدیث و فقہ کے مطابق فرمادیا ہے۔ جو رویت حدیث و فقہ کو چھوڑ کر فلکی حسابات
کو ترجیح دیتے ہیں وہ صحیح غلطی پر ہیں اور سخت تہمتی ہیں۔ انہیں اپنے وقت کو ترک کرنا فرمادیا ہے اور اسلئے
صرف اختیار کرنا ضروری ہے۔ فقط دارالعلوم

الجوان علیہ السلام
محمد رسول اللہ صلی اللہ علیہ وسلم
بلند شہری
دارالعلوم
دفتر دارالعلوم دہلی
۶۸ صفحہ ۳۰ ص ۲





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Fatwa 20 /BT by Darul Ifta Darul Uloom Deoband

Here is the translation of `Urdu Fatwa 208/B` from Deoband for authenticity of Hilal against Calculations and need for qadha Fast.

In the name of Allah, the Most Beneficent, The Most Merciful

In Islam, the Hilal sighting is established by its actual sighting, or by the Sharai Testimony of actual sighting, because only these two methods are conclusive and reliable.

The foundation for Hilal Sighting has NOT be based upon the Astronomical Calculations, because the Calculations are man made, and carry a probability of error at all times: they are NOT Conclusive and Reliable in Shariah.

Latter day Jurists have totally rejected those Scholars who regard calculations to be Conclusive and reliable, as quoted by Allama Shami r. in Fataawa Shami (2:92) '..... that the Prophet s.a.w. did not trust (using of) calculation, instead he rejected it totally by his saying;

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا (وهكذا وعقد الإبهام فى الثالثة والشهر هكذا وهكذا يعنى تمام ثلاثين
-الصحيح البخارى ج ١ ص ٢٥٦ - الصحيح لمسلم ج ١ ص ٣٤٧)

- We are the unlettered Ummah, we do not write and we do not calculate. A month is like this and like this ...'

Hilal was not seen in your towns due to overcast, it was sighted in Birmingham. Therefore it is necessary to accept and to follow their Sharai Testimony of actual sighting, whether the Testimony was received the same day or after one week. In any case the Testimony is reliable / valid, and its news is obligating: it is obligatory to practice upon it.

There is no condition here for 'sighting by multitude' (Jamme Ghafir) – the Sharai Testimony of sighting by only one person is sufficient for the Hilal of the blessed Ramadhan. Here there are, by the will of Allah, three witness, and all of them are reliable and just. All three have actually sighted Hilal by naked eye. Therefore it is perfectly correct, and very much necessary according to Hadith and Fiqh, to announce / establish Hilal sighting on 29th Shaban, and for the need of Qadha of missed Fast for those who counted 30 days for Shaban.

Those who, leaving Hadith and Fiqh, gives priority to Astronomical Calculations are openly in error: They are committing a serious sin. It is mandatory for them to drop their own view, and it is mandatory for them to adopt Islamic view.

Only Allah knows best.

Signed; (Mufti)Habiubur Rahman Mufti Darul Uloom Deoband.

The Reply is correct – Signed (Mufti) Mahmudul Hasan

6th Safar 1432 H

The Reply is correct – Signed (Mufti) Waqar Ali

The Reply is correct – Signed (Mufti) Qamarul Islam

(Seal – Darul Ifta, Darul Uloom Deoband)



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