



Central Moon Sighting Committee of Great Britain

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

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Dissenting voices grounded by Events of Honest *Shar'i* Eyewitness Accounts from the Birmingham Moon Sighting of Ramadhan 1431 H on the eve of Tuesday 10. 8. 2010

“Indeed, Allah knows the unseen of the heavens and the earth. And Allah is the All-Seer of what you do.”^[Al-Hujuraat:18]

Dear Brothers and Sisters in Islam – Assalaamu Alaikum Warahamatullah Wabarakatuh

We have been referred to the ‘The Majlis’ newsletter by someone expressing that it is unsound to use the *fatwa* issued by Mufti A. S. Desai as sent to CMSCB, because the Mufti *sahib* states any testimony must be taken on the night of the moon sighting, and as a result the Birmingham testimony published by CMSCB cannot be accepted since it was published after 8 days. The witnesses indeed gave the *shahaadaat* to those present in the Mosque and to Maulana Abdul Rabb *sahib* after *Salatul Maghrib* on the very same evening when the moon was seen in the Masjid’s car park. (1-Click to see the [Shahaadah articles](#)).

Mufti A S Desai from the Majlis affirmed in his response that *if* witnesses had put forward their testimonies immediately then this *shahaadah* will be accepted, as without a doubt did the brothers in Birmingham. This sighting from Birmingham and its *shahaadah* was the base background event which formed the questions we here at CMSCB sent to *Darul Uloom Deoband* and to the Majlis.

It was the continuous spiteful propagation against this sighting, its witnesses and those who recorded the testimonies. Not only did their horrid campaign last the entire Ramadhan but it did not stop until *Eidul Adha*. We then decided to send an *Istifta* to *Darul Uloom Deoband* concerning this and we wrote (*an account of the events*) to *Darul Uloom Deoband* asking them the *Shariah* judgment with regard to those in the UK, who reject this *Sahaadah* on the verdict of astronomical calculation law and the consequence of publishing the testimony after 8 days. *In reply to our report of the events*, *Darul Uloom Deoband* responds that astronomical calculations have no basis in the *Shariah* and whether the testimony was published after one day or 8 days doesn’t matter. Furthermore *Darul Uloom Deoband* affirms that the legal *Shar'i thuboot hilal* is also established after 8 days and those who missed this fasting must not fail to do *qadha* otherwise he will be sinful. *Darul Uloom Deoband* hastened to warn those who use astronomical calculations for rejecting the *Shar'i shahaadah*, and advised them to perform *taubah* and return to *as-Siraat as-Mustaqeem*. (2-click for [question and the answer from Deoband](#)),

But this didn’t stop the dissenters, subsequently several days after receiving this *fatwa* from *Darul Uloom Deoband* we sent a similar question to the Majlis asking them specifically in relation to the issue of rejecting moon sighting *shahaadah* based on astronomical calculations. The question did not contain any time frame, whether one day or eight days and it did not mention at what time the *Sahaadah* was taken, since the *fatwa* order by *Darul Uloom Deoband* at the outset rejected any time frame conditions for collecting and validating witness accounts.

Dear Readers we have been accused of asking a ‘half baked’ question and sending leaflets via *Masajid* and individuals based on ‘*misinformation*’. Additionally they question our intentions and accuse us of deliberately concocting falsehood. May be they do not understand that these suspicions of theirs create division, and ...indeed some suspicions are sins [Surah al-Hujuraat 12]. It would have been better for them to ...verify it, lest you harm people in ignorance and afterward you become regretful to what you have done [Surah al-Hujuraat 6]. In his answers to our questions Mufti A S Desai, clearly demonstrates that our question in fact was related to the subject of using astronomical calculations to ‘help’ in rejecting valid eyewitness sighting and *shahaadah*.

Our methodology is based on countless *fataawaa* from the highest authorities in *Darul Uloom Deoband* as well as from the much respected *Ulama* in Saudi Arabia. (3-Click here to read the [fataawaa issued=Books](#)).

In order to reject or accept moon sighting *shahaadah* some base their opinion on an entire nation and their *Ulama* being unreliable; or reject it due to political hegemony; others base their opinion on theoretical calculations commanded by scientists. These are views based on personal opinion and unsubstantiated by *Shar'i* evidence.

The dissenter accuses witnesses being ‘put forward’ to provide support to validate Saudi moon sighting decisions, and likewise the dissenter launches allegations based on a foundation of doubt and illegal ruling toward the Birmingham sighting and other testimonies recorded by CMSCB. In certainty the Birmingham witnesses presented their *shahaadah* immediately after *Salatul Maghrib* in front of the Mosque’s worshippers and an *Alim*. Many witness accounts in the past had resulted in either the authority

changing the dates or supporting the witnesses account. There occurred many similar incidents during the era of the Prophet, *sallallahu alaihi wasallam*, and after him in the lives of his companions, *radiallahu anhum ajmaeen*.

(A) **Whilst having** no moon sighting witnesses in India appear for the beginning of Ramadhan 1407 H, *Darul Ifta* of *Darul Uloom* Deoband decided and announced the 1st of Ramadhan 1407 H on the evening of 28th April 1987 as announced on Radio Pakistan.

However after 12/13 Ramadhan 1407 H, *Darul Uloom* Deoband heard news that 5 people saw this moon in Buland Shaher on the same evening. There upon Mufti Maulana Habibur Rahman and Maulana Shamim Ahmed, *hafidhahumullah* travelled to Buland Shaher and recorded the witnesses account, *Darul Uloom* Deoband then announced those who missed the fast of the first day of Ramadhan of Wednesday (based on the new found witness account) to perform *Qadha* of the missed day. (4-Bulandshahar/Deoband references)

(B) **Further**, the lecturers of Leicester *Darul Uloom* and their students whilst on an education workshop in Wales UK, saw the moon of *Jumadil Ula* 1430 H **after *Salatul Maghrib*** on the evening of Saturday 25th April 2009, this information came to us after several days, then we CMSCB published the witness letters. Consequently a group from the two opposing groups in Batley Yorkshire, verified this information and accordingly changed their announcement of the 1st of *Jumadil Ula* 1430 H from Monday to Sunday (5-Leicester *D.Uloom* witnesses & 6-the groups from Batley changing the date)

THE FACTS:

- (1) Can anyone cast doubt and declare *Darul Uloom* Deoband made their announcement on 'half baked' information?
- (2) Or do they throw suspicion on those eyewitnesses in India who came forward after many days? Or were they 'put forward' so as to prove *Darul Ifta* Deoband's announcement of 1st Ramadhan as correct?
- (3) Or distrust the group from Batley, who along with *opposing group* changed their decision on the basis of those who provided their witness account, and indeed that account was presented after several days had elapsed just as in the case of Deoband (13 days) and Leicester (15 days), can the dissenting voices claim these *opposing group* and the other group from Batley as not '*Aadil*' or declare them unreliable?
- (4) Since that *opposing group* accepted the witness accounts and therefore as a result they firmly believed in the integrity of the eyewitness accounts, why then is their announcement not 'half baked'?

These events instruct us that:

(i) *Shariah* ruling will be decided by order of testimony in the form of *Shar'i* witness after either the eyewitness went to the Qadhi, Masjid's *Imam*, moon sighting authority like CMSCB or that these authorities go to the eyewitnesses

(ii) *Shariah* rules these types of witnesses as reliable and trustworthy, and for that reason *Darul Uloom* Deoband in the first case (A), and Batley group in the second case (B) above, established the witnesses as reliable and trustworthy (*Aadil*).

(iii) No one can say after the month was announced, the witnesses came forward only to provide evidence for the judgement of *Darul Uloom* Deoband regarding *Shaban*, or they came to support CMSCB or to reject the Batley group along with that *opposing group*. It is thus **the witnesses from Birmingham** are reliable and trustworthy, and for this reason there is no means to reject it but the *shahaadah* must be accepted and the missed fast must be completed i.e. perform ***Qadha***.

NB: In *Shariah* terminology the Islamic day starts at night and therefore where we use the term 'first day' it actually means the night of the first day.

You're Brother in Islam

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