



مفتى محمد يوسف دكا
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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله حمد الشاكرين، والصلاة والسلام على المبعوث رحمة للعالمين، وهادياً للناس أجمعين.
صلاةً وسلاماً دائمين إلى يوم الدين، وآله وصحبه ومن تبعهم بإحسان، وسلم تسليماً كثيراً، أما بعد:

The Correct Time at which Subah Sadiq and Shafq Commences Establishing Salah Timetables According to 18 Degrees below the Horizon

إيضاح اليواقيت في مقدار انحطاط الشمس وقت طلوع الفجر وغروب الشفق ﴿﴾

العلامة محمد أوسى البغدادي رحمه الله: (والصبح إذا تنفس- سوره تكوير) ان تنفس الصبح وضيائه بواسطة قرب الشمس إلى الأفق الشرقي بمقدار معين، وهو في المشهور ثمانية عشر جزءاً (تفسير روح المعاني)

Allah ﷻ has stated in the Holy Qur'an: 'And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall.' (s2,v187)

In this verse of the Qur'an Allah ﷻ has referred to the darkness of night as the black thread (الخيوط الأسود) and the light of dawn as the white thread (الخيوط الأبيض). These two times are then stipulated as the defining moments to commence and terminate the fast. Let it be known that the entire Ummah is united upon this principle. (Mu'alimul Tanzeel, vol 1, p138/ Fathul Mulhim, vol 3, p112)

Salah (Prayer) is a pillar of the religion of Islam and it is compulsory to perform it on time as stipulated by Shari'ah, it is only on this condition that it is accepted. Similarly, fasting on time and in the correct intervals is also compulsory for its acceptance.

Adi bin Hatim ؓ related: 'When this verse of the Holy Qur'an was revealed, then I placed two threads (a black and a white one) under my pillow and kept observing them throughout the night. I was unable to distinguish a clear distinction between the two. In the morning, I went to the Prophet ﷺ and related my experience to him ﷺ. The Prophet ﷺ stated that the white and black thread refers to the commencement of the day and the darkness of the night (Subah Sadiq).' (Sahih Bukhari #2191)

The commencement of the fast occurs from Subah Sadiq, if a person eats after this time, his fast is not valid. When an individual is certain that Subah Sadiq has been established, it is Haram to eat. Eating after this time causes the fast to break even if a person was to eat for an extra minute. (M'ariful Qur'an, vol1, p454)

The Prophet ﷺ stated in a Hadith: 'The Athan of Bilal ؓ should not prevent you from eating Sahur (Sehri) because he gives Athan at night, even after hearing Bilal's Athan keep eating until you hear the Athan of Abdullah ibn Umme Makhtum ؓ. He (Abdullah ibn Umme Makhtum) gives Athan at the correct time of Subah Sadiq.' (Sahih Bukhari/ Sahih Muslim vol 2, p2160)

The above Hadith shows that the Rasulullah ﷺ has stated the final moment to which a person can eat is Subah Sadiq, the Holy Qur'an also states the same as: 'the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)'. To therefore give permission to eat after Subah Sadiq will be to go against the Qur'an and Sunnah.

Subah Sadiq and Subah Kadhib according to the Sahih Ahadith:

The Prophet ﷺ stated: 'There are two types of Fajr, one due to which eating becomes impermissible on the fasting person (الصبح الصادق Subah Sadiq) and the other in which praying is not permissible but within which the fasting person can eat (الصبح الكاذب Subah Kadhib). (Ibn Khuzaimah/ Mustadark Hakim)

Sumarah bin Jundub ؓ related that the Prophet ﷺ stated: 'The vertical light (فجر مستطيل Fajr-e-Mustateel) should not prevent you from eating (Sahur). You can eat and drink until the light appears to spread (فجر مستطير Fajr-e-Mustateer). (Sahih Muslim/ Sunan Nasai/ Sunan Abu Dawood/ Jami Tirmidhi #706)

Allamah Baghawi رحمه الله writes: 'Understand this, that there are two types of Fajr in the morning. One is Subah Kadhib (فجر مستطيل Fajr-e-Mustateel) the light of which is similar to the tail of a wolf and is tall in the sky. The appearance of this light does not signal the end of the night and it does not prevent the fasting person from eating. Then this light vanishes and light begins to spread on the horizon, this is referred to as Subah Sadiq (فجر مستطير Fajr-e-Mustateer) due to which the day commences and the eating of food is not permissible for the fasting person.' (Mu'alimul Tanzeel, vol 1, p138)

Abdullah ibn Masood رضي الله عنه related that the Prophet ﷺ stated: 'The Athan of Bilal رضي الله عنه should not prevent you from eating Sahur, the Athan of Bilal is a means of causing (those busy in worship) to return home and to wake those who are sleeping.' (Sahih Muslim vol 2, p2160)

Imam Ibn Hamam رحمه الله writes: 'There is no reliance on Subah Kadhib, it appears as a tall light in the sky and it is for this reason that the Prophet ﷺ said: 'Do not let Bilal's Athan of Fajr-e-Mustateel (فجر مستطيل) deceive you.. Verily, Fajr occurs when light spreads on the horizon.' (Fathul Qadeer, vol 1, p193)

The Statements of the Mufasireen, Muhaditheen and Fuqaha:

The differentiation of Subah Sadiq and Subah Kadhib has been mentioned by the well known Mufasir, Allamah Abu Bakr Jasas Razi رحمه الله (d:370H): 'There is no dispute within the Muslims that the light which spreads on the horizon (Subah Sadiq-Faraje Mustateer) makes it impermissible for the fasting person to eat.' (Ahkamul Qur'an, vol 1, p285)

وعلى قول أبي حنيفة المعتبر في الحصتين أن يكون الشمس منحطة بـ (18 درجة) والدائرة لأرتفاع يح 18 بدرجة النظر هو الحصة لكل منهما فهما متساويان (ربع المجيب ص23)

Imam Azam Abu Hanifa رحمه الله states: 'Subah Sadiq and dusk (Shafaq); these two occur at the same time - when Isha time starts the sun is 18 degrees below the horizon.' (Rob'ul Majeed, p23)

Imam Nawawi رحمه الله writes: 'It is Ijma (unanimous opinion) of the Ummah that the time for Salat ul Fajr is when Subah Sadiq commences. This Subah Sadiq is the 2nd Fajr of which there are two types. The first is known as Subah Kadhib and the other is known as Subah Sadiq. The first Fajr causes light to be seen vertically in the sky, after a while this vanishes and the second light spreads horizontally, this is Subah Sadiq. The scholars state, the rulings of the Shari'ah are dependent upon Subah Sadiq. The appearance of this horizontal light causes the time of Fajr Salah to commence; it ends the time for Isha Salah. It commences the time of fasting and makes it impermissible for the fasting person to eat and drink. It is also upon this that the day starts and the night ends. There is Ijma of the Muslims on this.' (Sharah Muhathab, vol 3, p34)

Mufti Azaam Baghdad, Allamah Muhammad Aalusi رحمه الله writes: 'This is the first light which appears before Subah Sadiq, it is similar to the tail of a wolf and is referred to as Subah Kadhib. Then light spreads over the width of the horizon, this is referred to as Subah Sadiq.' (Tasfeer Roohul Ma'ani, vol 2, p69)

Allamah Shami رحمه الله writes: 'The time for Salat ul Fajr occurs at the beginning of the 2nd Subah (Subah Sadiq). Subah Sadiq is that light which spreads on the horizon.' (Radul Mukhtar, vol 1, p359)

About 100 years ago in 1313H (1896) Hadhrat Maulana Mufti Muhammad Lutfullah Rampuri رحمه الله stated: 'The time of (commencement of Fajr) Subah Sadiq and the commencement of Isha both occur at the same location (degrees). When the sun rises to 18 degrees below the horizon, it causes a light to spread across the horizon...this is referred to as Subah Sadiq. This light continues to increase until sun rise.' (Hal ul Daqaiq Fe Tahqiq ul Subah Us Sadiq, p32)

In the same age, Munshir Muhammad A'laa Mirthee رحمه الله justified Subah Sadiq as occurring at 18 degrees. (Subah-e-Sadiq)

The statements in the two above mentioned books have been approved by signatures and authoring of a preface by many great scholars of Deoband Ahle Sunnat Wal Jamaat, including: Hujatul Islam Maulana Muhammad Qasim Nanotwi رحمه الله founder of Darul Uloom Deoband, Shaykhul Hind Hadhrat Maulana Mahmood Hasan رحمه الله, Hadhrat Maulana Khalil Ahmed Saharanpuri رحمه الله, Hadhrat Mufti Azizur Rahman رحمه الله and Maulana Habibur Rahman Usmani رحمه الله.

العلامة السماحة الشيخ محمد يوسف البنوري قدس سره: أنه عرف بالتجربة إن أول الصبح وآخر الشفق إنما يكون إذا كان إحطاط الشمس (أي من الأفق) ثمانية عشر جزءاً من دائرة إرتفاع الشمس المارة بمركزها (معارف السنن جلد 2 ص28)

Allamah Syed Muhammad Yusuf Binori رحمه الله writes: 'The commencement of Subah Sadiq (Fajr) and the end of the evening white light, Shafaq-e-Abyadh after Magrib which signals the commencement of Isha, both occur at 18 degrees below the horizon.' (M'ariful Sunan, vol 2, p28)

The Statements of the Researchers upon the Commencement of Subah Sadiq:

The commencement for the time of Salat ul Fajr at Subah Sadiq has clearly been proven from the Holy Qur'an, Ahadith and statements of the scholars of the Ummah. The teachings and principles of Shari'ah have been formulated in relation to the disposition of Mankind and the world that we live in. This makes the performance of acts of worship easy for us (Muslims) to follow and implement wherever we may be.

In this day and age, the presence of street lighting makes the distinguishing of Subah Sadiq difficult. In countries like England, throughout the winter months, it is not possible to distinguish Subah Sadiq due to the clouds on the horizon. When the summer months arrive, for almost two months the sky is visible in both the day and night. Together with this, the nights are short and a red light remains on the horizon throughout followed by a white light

(there is no clear distinction between day and night) this remains until the morning (Fajr). Therefore in this situation, it is necessary to assess the research of the pious predecessors and present scholars in this respect to distinguish and act upon the time of Subah Sadiq.

الأستاذ ابوريحان البيروني (متوفى 440 هجرى، 1048ع): إنحطاط الشمس تحت أفق حتى كان ثمانية عشر جزء كان ذلك وقت طلوع الفجر فى المشرق (القانون المسعودى جلد 2 مقاله 8 باب 13)

In this matter Allamah Abu Rayhan Al Birooni رحمه الله (d:440Hijri, 1048) writes: 'When the sun descends to 18 degrees below the horizon in the East, that is the commencement of Fajr (Subah Sadiq).' (*Al Qanun Al-Mas'udi, vol 2, ch 8, heading 13*)

In the Muslim Ummah there were such intellectuals and specialist researchers in this matter, 950 years ago they established 18 degrees as the defining requirement of the commencement of Subah Sadiq. Even today, the scholars of the Islam and the Muslim Astronomers have verified this fact of specifying 18 degrees for the commencement of Fajr, Subah Sadiq. Those who indicate a finding of 12-15 degrees have no doubt been deceived in their research in the distinguishing of Subah Kadhib and Subah Sadiq.

Allamah Rumi رحمه الله has stated in Sharah Chagmani: 'Verily, from experience it is proven that Subah Sadiq and Shafq occurs when the sun is 18 degrees below the horizon.' (شرح چغمنى)

العلامة محمد آلوسى البغدادي رحمه الله: (والصبح إذا تنفس- سوره تكوير) ان تنفس الصبح وضيائه بواسطة قرب الشمس إلى الأفق الشرقى بمقدار معين ، وهو فى المشهور ثمانية عشر جزء (تفسير روح المعاني)

Mufti Azaam Baghdad, Allamah Muhammad Aaloosi رحمه الله writes: 'Allah ﷻ says: And by the night when it departs, And by the dawn when it spreads' (s81, v17-18). The day commences due to the light spreading on the horizon, this occurs at 18 degrees according to the well known statements. (*Tafseer Roohul Ma'ani*)

ان علمنا أن بداية الفجر وهو صلاة الصبح بيده عندما تكون الشمس تحت الأفق الشرقى بمقدار 18 ، وإن وقت العشاء بيده عند ماتصير الشمس تحت الأفق الغربى بمقدار 18. (تعيين موافيت الصلوات)

The teacher of Dr Qamaruddeen, Muhammad bin Saud of the Islamic University Riyadh writes: 'Subah Sadiq, meaning the start of Fajr commences when the sun is 18 degrees below the eastern horizon. The time for Isha Salah starts when the sun is 18 degrees below the western horizon' (*Mawaqi tul Salawat*)

The Arab peninsula (Haramain Sharifain), Hindustan, Pakistan, Bangladesh and rest of the Islamic World until today have been establishing the commencement of Fajr from when the sun rises to 18 degrees below the horizon...this is referred to as Subah Sadiq.

Allamah Shami رحمه الله has also advocated 18 to 19 degrees as the time of Subah Sadiq. (*Radul Mukhtaar, vol 2, p93*)

The Fatawa board of the Arab world known as Wazarat ul Awqaaf wa Shoonul Islamia (Kuwait) has produced a Fatwa by Dr Saleh Al Ajeeri, which states: 'The research upon Subah Sadiq shows that it occurs at 18 degrees, some scholars have specified 19 degrees below the horizon as being the time to stop eating (Sahur) due to cautiousness. But, the commencement of Fajr occurs at 18 degrees below the horizon.' (*Majmoatul Fatawa Al Shariah, vol1, p193*)

Imam Ghazali رحمه الله writes: 'Subah Sadiq can be established by viewing the moon of two nights. On the 26th night the moon appears at the same time as Subah Sadiq and on the 12th night the moon disappears at the time of Subah Sadiq.' This phenomenon is witnessed throughout the World, although there are some areas which due to the geographical location may experience a slight difference. (*Ahya ul Uloom, vol 1, p173*)

Hadhrat Hakim ul Ummat Thanwi رحمه الله also agreed with the statement of Imam Ghazali رحمه الله stating: 'by witnessing the moon on the 26th and 12th nights a person is able to adjust his timetable accordingly. Erring on the side of caution, one should stop eating 10 minutes before this time.' (*Imdadul Fatawa, vol 1, p100*)

Hadhrat Hakim ul Ummat Thanwi رحمه الله received a letter from Scotland, UK in 1350H (1932) requesting a Fatwa in respect of the timings of Salah in the UK. Hadhrat Thanwi رحمه الله responded in *Imdadul Fatawa, vol 1, p176* by providing a Salah timetable which through research establishes Subah Sadiq at 18 degrees.

Shaykhul Hadith, Mufti Saeed Ahmed Palanpuri رحمه الله has stated numerous times in his discourses that Subah Sadiq should be performed at 18 degrees.

There was a question posed to Mufti Muhammad Taqi Usmani رحمه الله by an individual from America to determine whether 15 or 18 degrees below the horizon should be used to commence the time of Fajr. In response Mufti Sahib writes: 'After a good deal of research and continuing observation, my father (Mufti Muhammad Shafi Usmani رحمه الله) as well as 99% of the Ulemah in Pakistan and India are unanimous on the point that the time of Isha and Fajr begins when the sun is 18 degrees below the horizon. This basis has been confirmed by scientific as well as religious research by a large number of scholars in both fields.' (*Al Balagh*)

Mufti Azaam Pakistan, Mufti Muhammad Shafi Usmani رحمه الله writes: 'When an individual is certain that Subah Sadiq has been established, it is Haram to eat. Eating after this time causes the fast to break even if a person was to eat for an extra minute.' (Mariful Qur'an, vol1, p454)

It is for this reason that in many masajid in England, people are continuing to eat, even after the sun is 12 or 15 degrees below the horizon. The fast of such people is not valid, the timetable of which originates from Hizbul Ulama UK.

What is Subah Sadiq and when does it Commence?

After the sun sets, it falls 6 degrees below the horizon, then continues to fall to 12 and 18 degrees. At 18 degrees, the light in the sky finishes, night envelops the sky and the time for Isha commences. The advent of a new day occurs in the opposite manner, the sun rises from 18 degrees then 12 and then 6. Subah Sadiq is therefore the point at which the sun rises in the morning and reaches 18 degrees below the Horizon.

In today's scientific observation, there are 3 times when the day is said to have commenced. Those associated to work on the sea are familiar with these times:

1. Civil Twilight (قانونى شفق) – occurs at 6 degrees.
2. Nautical Twilight (بحرى شفق) – occurs at 12 degrees.
3. Astronomical Twilight (فلكى شفق) – occurs at 18 degrees.

Astronomical Twilight: it is the unanimous opinion of the Jurists of the early generations and this age that Subah Sadiq occurs at this time. This is the time that a slight light is seen on the horizon, large items are visible but small details are not easily distinguishable. Large stars are still visible in the sky at this time.

In light of the Sahih Hadith, Imam Malik, Imam Bukhari Imam Tirmidith رحمه الله related through Sayyida Aisha رضي الله عنها: 'We, the Muslim women would attend the morning prayer behind the Prophet ﷺ with our bodies covered in sheets. After the prayer, when we would return home, (الغلس) due to the darkness we could not recognise each other.' (Muwatta Imam Malik, #4/ Sahih Bukhari #578/ Jami Tirmidith vol 1, p40)

Hafiz Ibn Hajar Al Asqalani رحمه الله writes: 'due to the darkness we could not recognise each other' means, due to the darkness they could distinguish the form of a body but not recognise whether it was Khadija or Zainab.' (Fathul Bari Sharah Bukhari vol 2, p22)

In this Hadith 'الغلس' Al Ghalas' is translated by expert translators of the Arabic language (lexicographer) as 'the last part of the darkness of the night which is joined to the first light of the day.' (Lisanul Arab/ Majma'ul Bahar, vol 4, p52)

سماحة الشيخ محمد زكريا الكاندهلوى رحمه الله: (الغلس) قال ابن الأثير ظلمة آخر الليل إذا اختلطت بضوء الصباح (أوجز المسالك إلى موطن مالك جلد 1 ص 273) Shaykhul Hadith Maulana Zakariya Kandhalawi رحمه الله uses the statement of Ibn Atheer رحمه الله to explain the meaning of 'الغلس' Al Ghalas' in the same manner. (Awjazul Masalik Shara Muwatta Imam Malik, vol 1, p273)

To witness Subah Sadiq properly certain points need to be taken into consideration:

1. The sky needs to be clear of clouds, fog, mist etc.
2. It should not be witnessed in such a location where the light of the moon is eminently severe.
3. It should not be a very windy night.
4. The witnesses should have clear vision (I.e. no defect in Eyesight) and experienced in this field.
5. The location where the witnessing takes place should not have street lights.
6. The individual or group should not be on land that is too low (i.e. a valley) nor should it be raised.
7. The witnessing individual should be experienced in distinguishing the signs of Subah Sadiq from the Islamic and scientific perspective.

In this respect, Hadhrat Maulana Zafar Ahmed Usmani رحمه الله writes: 'The commencement of the fast and start time of Fajr occurs as soon as Subah Sadiq sets in. It should not be observed after light is seen to be spreading. As in the Qur'an, Allah ﷻ says: 'until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)'. The distinction between night and day occurs at the very first occurrence of light – referring to the 'thread'. The spreading of the light on the horizon, does not remain a thread, but becomes clearly distinguishable to the eye. Murshidi Hakim ul Ummat Shaykh Ashraf Ali Thanwi رحمه الله had the habit of stopping eating a little while before the appearance of the white thread (Subah Sadiq), this was his cautiousness. As stated above, to eat after the occurrence of Subah Sadiq is not permissible at all. (Ahkamul Qur'an, vol 1, p247)

The Occurrence of Dusk and Subah Sadiq in the UK During the Summer Months:

Allah ﷻ says: 'Verily, Salah has been enjoined on the believers at fixed hours.' (s4, v103)

It is also proven from the Sahih Hadith that Allah ﷻ sent Jibril ﷺ to the Prophet ﷺ for two days to show him ﷺ when the times for prayer falls. On the 1st day Jibril ﷺ would come and perform the prayer at the start times of

each Salah. On the 2nd day Jibril ﷺ would come and perform prayer at the end time of each Salah. Jibril ﷺ said to the Prophet ﷺ: 'O Prophet of Allah ﷺ, this was the timings for prayer of the previous nations. You should pray between these two times.' (Sunan Abu Dawood/ Jami Tirmidhi vol 1, p38)

The praying of Jibril ﷺ would occur at the intervals and signs of the day which are attached to each prayer: Subah Sadiq, Sunrise, Zawaal, Mithl (one shadow length), Mithlain (two shadow lengths), sunset and dusk.

There are certain countries of the Earth where all the signs of day and night are not able to be witnessed. For example, some countries experience 6 months of daylight with no darkness in the year. However, the UK lies above 48 degrees latitude. From 21st May to 23rd July every year, the sun does not descend more than 12 degrees below the horizon. There is no real distinction between day and night as a result, darkness does not set in. This phenomenon is called Persisting Twilight.

Even though the signs to distinguish the occurrence of each Salah is not readily visible in the summer months, it is compulsory upon every Muslim to pray 5 times a day. The proof for this is the Hadith of Dajjal, where the day will be like one year and the Companions ﷺ were instructed to read their Salah by their own judgement of time. (Sahih Muslim p289/ Masnad Ahmed/ Mustadrak Hakim)

عن النّوأس بن سمعان رضی اللّٰه عنہ قال قال ذکر رسول اللّٰه صلی اللّٰه علیہ وسلم الدجال ذات غدّة ... قلنا یا رسول اللّٰه مالبتہ فی الأرض؟ قال اربعون یوما یوم کسنة، ویوم کثیر، ویوم کجمعة، وسائر ایامہ کایامکم، قلنا یرسول اللّٰه فذلک الیوم الذی کسنة اتکفینا فیہ صلاة یوم؟ قال لا اقدر والہ قدرہ (صحیح مسلم ص289 باب ذکر الدجال)

For us, the judgement of Salah times has been made very practical and simple as we have the blessing of a 24 hour timetable for the day, this allows us to prepare for a Salah slightly before the time sets in. (Fatawa Darul Uloom vol 2 p30)

In such a situation where the signs mentioned in the Islamic principles, by which salah times can be established are not readily witnessed, then the sayings and actions of the Salaf us Saliheen and Aiyamah Mujtahideen are a source of guidance for us.

In the (UK) Summer months, due to the Presence of Light Throughout the Night, Islamic Theologians have Provided 4 methods that can be used to Calculate Fajr and Isha Times:

1. Nearest Latitude (أقرب البلاد Aqrab Al Balad) – take the times of the nearest city or country where the signs and times of Salah are easily distinguishable.
2. Nearest Day (أقرب الأيام Aqrab Al Ayyam) – to use the Fajr and Isha and times from the last day when it was possible to calculate these times for that location.
3. Middle of the Night (نصف الليل Nisf Al Lail) – split the time between sunset and sunrise into two halves. Isha is offered before the midpoint and Fajr is offered after the midpoint.
4. One 7th of the Night (سبع الليل Sube Al Lail) – split the time between sunset and sunrise into seven segments. Isha is offered after the 1st segment and Fajr is offered after the 6th segment.

حدیث عن سعد القرظ قال أذانا زمن رسول اللّٰه صلی اللّٰه علیہ وسلم بقیاء وفی زمن عمر بالمدينة ، فكان أذانا للصبح فی وقت واحد فی الشتاء لسبع ونصف سبع وفی الصيف لسبع بقی ، (تلخیص الحبیر جلد 1 ص179)

When the signs for doing so are not clearly distinguishable, it is permissible to adopt any of the above mentioned methods to establish the Salah times. However, it is incorrect to label one method as incorrect as opposed to the other. It is my opinion that the general masses, no matter how much you try to explain intricate details of Islamic principles etc to them, there will always be some confusion. For this reason, each town or area should unite on one method to avoid this confusion and difference.

Those that act upon أقرب الأيام Aqrab Al Ayyam close their fast at 1.20am (London) in the summer months considerably are the most cautious. Those that follow سبع الليل Sube Al Lail (close their fast approx 3.30am in London) do so for the ease of the people, which is also valid as allowance is given.

Hakim Ul Ummat Ashraf Ali Thanwi رحمه الله writes: 'by splitting the night into 7 parts, a person can eat in the first 6 parts.' (Imdadul Fatawa, vol2, p98, 12/12/1322Hijri) This is a similar statement to Allamah Shami رحمه الله in Dure Mukhtar. Mufti Shafi Usmani رحمه الله said: 'This statement is presented via assumption. In those countries where Subah Sadiq cannot be clearly distinguished (the UK in the summer months) it is permissible to act upon this advice.' Erring on the side of caution, one should stop eating 10 minutes before this time.' (Imdadul Fatawa, vol 1, p100)

السحور إسم للمأكول فی السحر وهو السدس الأخير من الليل (مراقی الفلاح ص369) والسحور ما يؤکل فی السحر وهو السدس الأخير فی الليل (بحر الرائق جلد 2 ص292) التسكر مستحب ووقته آخر الليل ، قال فقیه أبو اللیث : وهو سدس الأخير (فتاویٰ هندیة باب کراهیة الصوم وعدمه)

However, one cannot mix the principles of the four methods. The discipline and commandment of Holy Qur'an and Sunnah must always be adhered to, for example: Sahur (eating food) always precedes Fajr Salah, to eat food after Fajr Salah is not permissible and is against the Qur'an and Sunnah.

The Time of Isha (Shafaq) In The Summer Months: (فى فرضى العشاء وإن لم يغب الشفق)

" الشفق " يقع على الحمرة فى المغرب بعد الغروب وعلى البياض الباقي بعدها (مجمع بحار الأنوار جلد 3 ص 237)

The time of Isha commences on the commencement of Shafaq which is after the sun has set. Shafaq occurs after Magrib when both the red (شفق أحمر) and white light (شفق أبيض) disappear. (Maja'ul Baharul Anwar, vol 3, p237)

Imam Raqib Asfahani رحمه الله writes: 'After the sun sets, Shafaq occurs when the last light of the day meets the first darkness of the night.' (Qamusul Qur'an)

Allamah Ibn Kadama Hanbali رحمه الله writes: 'There is no difference in the scholars that the time of Isha commences when Shafaq occurs. There is only a minor difference between two sayings as to exactly when Shafaq is said to have occurred. Some say Shafaq occurs when the red light after Magrib disappears, others say it is when the white light disappears.

1. Ibn Umar رضي الله عنه and Ibn Abbas رضي الله عنه, Ata', Mujahid, Saeed Ibn Jubair, Imam Zuhri, Imam Thawri, Ibn Abi Layla, Ishaq, Imam Malik, Imam Ahmed, Imam Shafi and Imam Abu Yusuf and Muhammad Shaybani رحمه الله, all state that Shafaq occurs with the disappearance of the red light (شفق أحمر) after Magrib.
2. Anas bin Malik رضي الله عنه, Abu Hurairah رضي الله عنه, Umar bin Abdul Aziz, Imam Awzai', Ibn Munzir and Imam Abu Hanifa رحمه الله all states that Shafaq occurs when both the red (شفق أحمر) and white light (شفق أبيض) has disappeared after Magrib and night commences. (Al Mughni, vol 1, p382)

Allamah Sarkhasi رحمه الله writes: 'Imam Abu Hanifa رحمه الله states there is more caution in acting upon the second opinion. Imam Abu Yusuf رحمه الله and Muhammad Shaybani رحمه الله states that there is ease for the Ummah in acting upon the first opinion.' (Multakiyul Abhar, vol 1, p70/ Hidayah, vol 1, p66)

However, cautiousness in this matter is the better opinion and Isha should be performed upon the disappearance of both red and white light after Magrib. At the same time, the UK is such a country, due to it being located above 48 degrees latitude during the summer months (May, June, July) the sun does not descend more than 12 degrees below the horizon. As a result, due to the sun not descending below 12 degrees a white light is seen throughout the night, the darkness of night is not witnessed. Upon this phenomenon, the scholars have stated the following:

Imam Ibn Hamam رحمه الله writes: 'In this condition, it is necessary to still pray Isha due to the Hadith of Dajjal.' (Fathul Qadir, vol 1, p156/ Radul Mukhtar, vol 1, p834/ Fatawa Darul Uloom Deoband, vol 2, p30)

To perform Isha Salah is compulsory on all Muslims. Take the example of a person who needs to perform Salah, it is obligatory for him to have Wudhu. If one does not have a leg or hand then this person has no body part to perform full ablution upon. However, this does not prevent him from performing Salah. In the same manner although the visible signs of Salah have not appeared in a day, to pray all five Salah's in a 24 hour period is obligatory (Fardh) and necessary. (Fathul Mulhim, vol 6, p378)

Hadhrat Maulana Zafar Ahmed Thanwi رحمه الله writes: '(For the inhabitants of the UK) in the summer months after the sun sets, the night remains for five hours. It is compulsory for the inhabitants of London (UK) to pray Magrib, Isha and Fajr in their stipulated times. They should pray Isha 1 hour after the sun has set. Imam Abu Yusuf رحمه الله and Imam Muhammad رحمه الله stated that the start time of Isha occurs on the disappearance of Shafaq-e-Ahmer (red light in the horizon). The red light which occurs after sunset is not visible 1 hour after sunset (Magrib). (Imamdul Ahkaam, vol 1, p314)

From eye witness accounts it can be seen that in reality after 1 hour the red light (Shafaq-e-Ahmer) does not completely disappear from the horizon, as stated before, there are slight differences depending on geographical location.

It is my humble opinion that in the summer months Isha should commence 1 hour and 5 minutes after sunset because experience shows that the red light in the horizon (Shafaq-e-Ahmer) disappears after this time period. This way is being extra cautious and would ensure that the red light after Magrib has completely disappeared. Also, by abiding by this rule, we firstly also meet the same conditions highlighted in the statement of Imam Abu Yusuf رحمه الله and Imam Muhammad Shaybani رحمه الله. Secondly, in this manner this interval in the summer also fulfils the criteria of commencing after completion of the 1st part (out of the 7 parts) of the night.

To perform Isha later than 1 hour and 5 minutes after sunset (Magrib) in summer would be a cause of difficulty on the masses and against the Islamic principle of choosing the easier of the two options. Allah ﷻ says: 'And it is He who makes the night a covering for you and sleep a repose...' (s25, v47) and: '...and has not laid upon you in religion any hardship.' (s23, v78)

When Magrib occurs at approximately 9.30pm in the summer and even if Isha is performed after an hour, people will not be free until after 11pm. If Ramadhan occurs in Summer, the Salatut Taraweeh also has to be performed. In this condition the Jurists of Islam have permitted the following of another school of thought.

وقال الطحاوى فى حاشية مراقى الفلاح.. وكثيرا مايبئلى المسافر بمثله لاسيماالحج، ولابأس بالتقليد كما فى البحر والنهر (ص103)

حكم ان ظهير الدين المرغينانى لماقدم من فرغانه راى كسالى بخارا يصلون العشاء قبل ان يغيب الشفق فأراد منعهم عن ذلك ثم لقي شمس الأئمة السرخسى وشاوره فى قصده فقال لاتفعل فانك أن منعهم عن ذلك تركوها بالكلية وأما الآن فإنهم يؤدونها فى وقت يجيزهم بعض الأئمة (ناظرةالحق لمرجاتى ص165) وروى عن الزهرى أنه بلغنى أن أباهريرة رضى الله عنه قال من خشى أن ينم قبل صلاة العشاء فلا بأس أن يصلى قبل ان يغيب الشفق (مصنف عبد الرزاق ص565)

The Presence of 4 Timetables in the UK and Understanding Their Deficiencies:

Around the world with the selection of a few countries the seasonal norm is that there is complete darkness at night and Subah Sadiq is clearly apparent throughout the year with the exception of a few summer months. This principle applies to the UK as well where Subah Sadiq appears at 18 degree below horizon and Fajr time commences thereafter. For a fasting person within this country, at this point where Fajr time has begun it is totally incorrect and invalid to continue eating.

1. In the UK, there is one group that performs Subah Sadiq at 12 degrees below the horizon throughout the whole year. However, at this time Fajr has not commenced and there is no statement from the scholars of the Ummah to date that this is acceptable. Mufti Ubaidullah Asadi حفظه الله Shaykhul Hadith (Jamia Arabia Hathora Banda) writes in his Fatwa: 'To act upon 12 degrees is incorrect as this is against the statements of the scholars of this field and researchers.'
2. Some Masjids within the UK base their timetables upon the calculation of 15 degrees throughout the whole year which they obtain from the observatory. They base the time of Subah Sadiq at 15 degrees and allow people to eat until this time. This is completely incorrect as well, as at this time Fajr has commenced and the fast of a person who eats after Subah Sadiq is not valid.
3. The timetable of Hizbul Ulama UK, which they claim is based upon their own eye witness account of Subah Sadiq. This witnessing was performed during 1980-1982 from Blackburn and the information obtained was utilised by all the masjids in the UK through assumption. All the senior scholars and knowledgeable personalities have explained the faults of their 'witnessing' and formulating of timetables for the whole UK. However, they are not willing to adopt the advices offered to them. This timetable is assumed on calculation between 12-15 degrees below Horizon.

It is generally depicted to the masses by the Hizbul Ulama that their timetable was formulated through two years of continuous witnessing. This cannot be the case as the calculations are totally incorrect, maybe even those who have been born blind would not accept such a claim! We are all aware that in the UK for 7 or 8 months the sky is very cloudy due to continuous rain, let alone the very fine light of Subah Sadiq the sun is not visible during the day. In fact especially in Blackburn where the witnesses claim to have carried out witnessing the sky is mostly cloudy. The reality is therefore that, inevitably the witnessing of Subah Sadiq may have been for a few days in the Summer months which is an insufficient time period. The absence of their experience of witnessing and deficiency in the knowledge of this field caused them to be deceived on the time of Subah Sadiq's commencement.

Just as Hadhrat Hakim ul Ummat رحمه الله writes: 'The witnessing of something is associated with the eyes. But, the basis of witnessing Subah Sadiq and Shafq is correct understanding and experience. There can be no comprehension of Subah Sadiq with experience. مثل Mithl and مثلين Mithlain cannot be established without accounting for it.' (Bawadirul Nawadir, p 429)

It is clear that one can only establish the correct time of Subah Sadiq by continually witnessing it and at the same time as having firm understanding and knowledge of the field.

Shaykhul Islam, Mufti Taqi Usmani حفظه الله was asked to comment on the timetable prepared by Hizbul Ulama UK in 1980. Mufti Taqi Sahib responded with a Fatwa stating: 'When the sun has set and the sun descends to 18 degrees below the horizon, this is the time of Shafq and Isha commences. In the same manner, when sun is rising and reaches 18 degrees below the horizon, this is the time of Subah Sadiq. This is when the time of Sahur ends and Fajr commences. This is the accepted statement of the vast majority of scholars and astronomical researchers. A small minority claim that 15 degrees is acceptable. The Timetable that you have sent is formulated a long time after the correct time of Subah Sadiq. For this reason, it is not correct to follow this in any way...Subah Sadiq has occurred long before they claim to have witnessed it. This fault has occurred due to the change in weather, not being experienced in witnessing and not being fully proficient in the knowledge of establishing Subah Sadiq. It would now suggest that you formulate another timetable for when the sun is 18 degrees below the horizon and act upon this. Allamah Abu Rayhan Al Birooni (rah) (d:440Hijri, 1048) writes: 'When the sun descends to 18 degrees below the horizon in the East, that is the commencement of Fajr (Subah Sadiq).' (Al Qanun Al-Mas'udi, vol 2, ch 8) And Allah Knows Best. (3 Rajab 1411H) (Mufti Muhammad Taqi Usmani, Darul Uloom Karachi'

Now it is clear that those Masjids that follow the Timetable of Hizbul Ulama UK formulated upon 12-15 degrees, it is not acceptable to do so according to Shari'ah and their fast is not valid.

All the above mentioned timetables; 12, 15 and that of Hizbul Ulama UK are continuing to eat after Subah Sadiq. To the extent that others are returning home after praying Fajr whilst they are still eating their Sahur. Remember, there were differences historically due to Saudi Arabia following the new moon system. Due to following the Saudi

system, a person can make a mistake in 1 or 2 fasts. But, due to the mistake of establishing Subah Sadiq by the above mentioned timetables... all the fasts of Ramadhan are incorrectly performed and not unaccepted.

4. To practice upon Subah Sadiq when the sun is 18 degrees below the horizon. This is correct manner according to the scholars of previous and present generations and the experienced witnesses and knowledgeable researchers in this field. The signs and descriptions of Subah Sadiq which are found in the Holy Qur'an and Sahih Ahadith are also associated with 18 degrees.

العلامة محمد الوسى البغدادي رحمه الله: (والصبح إذا تنفس- سورة تكوير) ان تنفس الصبح وضيائه بواسطة قرب الشمس إلى الأفق الشرقي بمقدار معين ، وهو في المشهور ثمانية عشر جزءاً (تفسير روح المعاني)

Mufti Azaam Baghdad, Allamah Muhammad Aaloosi رحمه الله writes: 'Allah ﷻ says: And by the night when it departs, And by the dawn when it spreads' (s81, v17-18). The day commences due to the light spreading on the horizon, this occurs at 18 degrees according to the well known statements. (Tafseer Roohul Ma'ani)

Whose Responsibility Is It To Correct The Situation?

People should not rely upon the published Salah timetables in newspapers and TV channels, as more often than not, these timings are completely wrong and causes any act of worship to be jeopardised.

The scholars of the Ummah, wherever they reside, have a responsibility for that area. Whether they are an Imam of a Masjid or perform some other form of work, they are scholars and have this responsibility entrusted upon them. It is not the quality of scholars to remain silent when there is a difference of opinion in a matter. The scholars should investigate and approve of the manner which is most in accordance with the Holy Qur'an and Sunnah.

The Management and responsible people of the masajid should assist in propagating the Truth. The political ideology of uniting upon the wrong path for the sake of name, fame or reputation is incorrect and against Islamic principles, this is a matter of worship of the masses and a compulsory fast of Islam, we should adopt Islamic etiquettes. When the management committees and Imams of masjids unite upon the Truth, only then will the community be united and rightly guided.

Abdullah Ibn Abbas رضى الله عنه related that the beloved Prophet ﷺ said: 'The rectification of two groups in my Ummah is the rectification of my Ummah, the leaders and the Ulema (scholars).' (Kanzul A'maal, vol 6, p30 #14708)

May Allah ﷻ grant us the ability to act upon the Truth (Haq) and protect us from the Evil of ourselves and others. آمين Ameen!

والله وحده هو المسؤول والمستعان وهو الهادي إلى سبل الخير والسلام .

مفتى محمد يوسف دُنْكَا (عفا الله عنه)

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