

Giving Concession In Charges If Paid In Advance

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What do the Islamic scholars say about the following issue: we have embroidery done on clothes. The rates for embroidery vary depending on the work, for example, some embroidery costs 300 rupees, while others cost 330 rupees or more or less. The individuals who provide embroidery services offer us the option that if we pay them in advance, they will give us a 10% discount. What is the ruling on taking this discount from them?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجواب بعون الملك الوهاب اللهم هداية الحق والصواب

Having embroidery done on clothes by workers is a contract of hiring (Aqd-e-Ijarah). One of the factors that establish entitlement to remuneration is the condition that the payment will be given in advance. Therefore, from a Shariah perspective, it is permissible to have the charges reduced by giving an advance payment to the individuals who will do the embroidery, as the amount paid in advance is considered compensation (wage), not a loan.

It has been mentioned in the book Al-Hidayah:

”الاجرة لا تجب بالعقد وتستحق باحدى معانى ثلاثة اما بشرط التعجيل او بالتعجيل

من غير شرط او باستيفاء المعقود عليه“

Translation: Remuneration does not become due just because of contract of Ijarah. The right to remuneration establishes by one of three factors: 1) By the precondition of advance payment 2) By payment in advance without condition of it 3) By fulfilment of the contractual obligation.

(Hidayah, Vol 3, Page 231, Beirut)

It has been mentioned in the book Dururul-Hukkam Sharaho-Mujallatil-Ahkam:

“ان الاجارة عقد معاوضة فلا يكون شرط التعجيل في الاجرة مخالفاً لمقتضى العقد“

Translation: As the contract of Ijarah is a contract of compensation (معاوضه), therefore the precondition of advance payment will not be against the demand (مقتضى) of the contract.

(Dururul-Hukkam Sharaho-Mujallatil-Ahkam, Vol 1, Page 531, Beirut)

It has been mentioned in the book Badayus Sanay:

“ان شرط فيه تعجيل البدل فعلى المستاجر تعجيلها والابتداء بتسليمها سواء كان ما وقع عليه الاجارة شيئاً ينتفع بعينه كالدار والدابة وعبد الخدمة او كان صانعاً او عاملاً ينتفع بصنعتة او عمله كالخياط والقصار والصباغ والاسكاف“

Translation: if the advance payment of remuneration was preconditioned, then it is obligatory upon the employer to make the payment and hand it over to him in advance whether the thing hired belongs to the category of things from which benefit is acquired like house, animal and or to the category of artisans and workers from whose art or work benefit is acquired like tailor, washerman, dyer and cobbler etc.

(Badayus Sanay, Vol 4, Page 203, Beirut)

والله اعلم عز وجل ورسوله اعلم صلى الله تعالى عليه وآله وسلم

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