

ISSUES OF FURTHER IMPROVING THE EFFICIENCY OF THE PROSECUTOR'S SUPERVISION OVER LAW ENFORCEMENT IN THE FIELD OF LAND IN THE REPUBLIC OF UZBEKISTAN

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Abstract

This article examines the organizational and legal basis of the prosecutor's supervision over the implementation of legislation in the field of land in the Republic of Uzbekistan, the prevention of plundering of agricultural land, the role of the prosecutor's supervision in the use of land plots, and other issues.

Keywords: Prosecutor's control over the implementation of legislation in the field of land in the Republic of Uzbekistan, non-compliance with land legislation, purposeless and inefficient use of land plots, construction of illegal structures, arbitrary occupation of land, sale of non-agricultural land through electronic online auction based on property rights and lease rights to establish, recognize, change, cancel the rights to land plots, transfer irrigated land to the non-irrigated land category or another land category, non-irrigated agricultural land to another land category, etc.

In recent years, systematic work has been carried out in the republic to ensure rational and purposeful use of land plots, their protection, development of new lands and re-circulation.

However, the non-compliance with land laws, the purposeless and inefficient use of land plots, including the construction of illegal facilities, as well as the arbitrary occupation of land, require the introduction of a unified control system through the widespread use of digital technologies and further strengthening of cooperation between competent authorities.

Establishing a system of effective use of land plots, preventing the looting of land, especially agricultural land, and accelerating digitization processes in the field through the wide introduction of information technologies to these processes is one of the most urgent issues of today.

Adoption of Decree No. PF-6243 of the President of the Republic of Uzbekistan dated June 8, 2021 "On measures to ensure equality and transparency in land relations, reliable protection of land rights and their transformation into a market asset" played

an important role in introducing the order based on the principles, ensuring stability in property and legal relations related to land, protecting land, guaranteeing the property rights of land owners, as well as introducing it into free circulation as an object of civil legal relations by determining the economic value of land.

On the basis of this Faromon, the allocation of land plots to the private sector - on the basis of ownership and lease rights, to state bodies, institutions, enterprises, citizens' self-government bodies - on the basis of the right of permanent use, the procedure for allocating land with the right of permanent ownership, permanent ownership, temporary use is canceled. in which such rights to previously allocated plots of land are retained by their owners in the current order, in the event that the property rights to the real estate object built in the manner prescribed by law on the leased plot of land are transferred to another person, together with the property rights to this object, the lease right to the plot of land on which it is located is also new it was determined that agricultural land will be transferred to the owner, according to the results of an open electronic competition in which all types of agricultural producers can participate, only on the basis of lease.

At the same time, lands not intended for agriculture should be sold through online auctions on the basis of property rights and lease rights, land plots should be allocated to state organizations for state and public needs with the right of permanent use by the decision of the Council of Ministers of the Republic of Karakalpakstan, governors of the regions and the city of Tashkent. in all cases, land plots should be separated only from vacant and reserved lands, taking away, reserving, and allocating a plot of land with the same document or at the same time is considered a violation of the land allocation procedure and is the basis for prosecution in accordance with the law, public-private partnership projects and in the implementation of projects aimed at achieving socially useful goals, land plots are allocated to a state organization with the right of permanent use, these lands are transferred to a private partner, non-governmental non-profit organization and civil society during the validity period of the public-private or social partnership agreement. can be leased to other institutions of the municipality, the plot of land on which the multi-apartment house is located and adjacent to it, if it does not belong to the owners of the premises in the multi-apartment house by any other right, is allocated to them for general use by the Council of Ministers of the Republic of Karakalpakstan, the regions and the governors of Tashkent city on the basis of the right of permanent use procedures were introduced. Direct allocation of land plots related to land relations of local government bodies in order to preserve the state land fund, especially to prevent the depletion of agricultural land areas, food shortages, as well as to drastically reduce corruption cases in the process of allocating land areas for construction purposes, putting it into use, reserving it for future allocation, attaching it, giving it for improvement or disposing of land in another way, determining, recognizing, changing, canceling the rights to land plots,

transferring irrigated land to the category of non-irrigated land or another land category, reclassifying non-irrigated agricultural land to other transfer to the land category, allotment of land for collective gardening, viticulture and policing and auxiliary agriculture, investment obligations in relation to privatized land plots or other measures that limit the free disposal of private property the right to adopt a decision, order or other type of document regarding the determination of obligations has been revoked.

The analysis of the practice of law enforcement shows that the cases of corruption in the allocation of irrigated land for agricultural purposes, in particular, negative cases such as falsification of documents, abuse of official powers, deviating from the scope of official powers, taking bribes, are increasing sharply.

The introduction of these changes into the legislation was of great importance in effective and purposeful use of land areas, in preventing the looting of irrigated land areas intended for agriculture, in reducing the occurrence of food shortages, and in preventing corrupt situations.

In order to further strengthen control in the field of rational use of land plots and their protection, the Decision of the President of the Republic of Uzbekistan dated February 21, 2022 "On measures to increase the effectiveness of state control over the use of land plots" was adopted, and additional tasks were assigned to the prosecutor's office. were defined as areas and areas of activity.

In order to effectively organize the execution of additional tasks assigned to prosecutor's offices, the Department of Prevention of Land Resources Robbery, which consists of 8 state units within the General Prosecutor's Office of the Republic of Uzbekistan, and the Land Resources Department, which consists of a total of 56 state units, in the prosecutor's offices of the Republic of Karakalpakstan, regions and Tashkent city Departments for the prevention of looting of resources were established and are now effectively serving in the implementation of the prosecutor's control over the implementation of laws in this field.

Newly established Departments and Departments were tasked with the implementation of the tasks assigned to the General Prosecutor's Office and regional prosecutor's offices in order to coordinate activities aimed at early detection and prevention of land law violations by the Decree of the President of the Republic of Uzbekistan No. PF-6243 of June 8, 2021.

In addition, in order to provide the population with quality and cheap food products, to establish a systematic control over the purposeful and rational use of land plots, the Ministry of Agriculture is now planning to conduct monitoring at least once every quarter on the rational and effective use of agricultural land, the state of planting and maintenance of planned crops. .

At the same time, the cadastral agency should determine the cases of non-transfer of the rights to all types of land plots and buildings, regardless of the land category, take

measures to prevent arbitrary acquisition of land plots and arbitrary changes of their borders, strengthen state control over the purposeful use of land, it is necessary to assist the prosecutor's office in this area.

Another feature of the effective functioning of the mechanisms specified in this Decree is that now it is provided that 10% of the funds received from the collection of damages to the state's interests in cases of violations of the law on land determined by the initiative of law enforcement bodies will be transferred to the extra-budgetary funds of these bodies. .

At the same time, it was established that it is strictly prohibited to engage the employees of the newly established structural structures in the prosecutor's office to work other than the duties assigned to them.

These opportunities serve to increase the effectiveness of the prosecutor's control over the implementation of legislation in the field.

List of Used Literature

1. Decree No. PF-6243 of the President of the Republic of Uzbekistan dated June 8, 2021 "On measures to ensure equality and transparency in land relations, reliable protection of rights to land and their transformation into a market asset". National database of legislative information of the Republic of Uzbekistan - lex.uz.
2. Decision PQ-138 of the President of the Republic of Uzbekistan dated February 21, 2022 "On measures to increase the effectiveness of state control over the use of land." National database of legislative information of the Republic of Uzbekistan - lex.uz.