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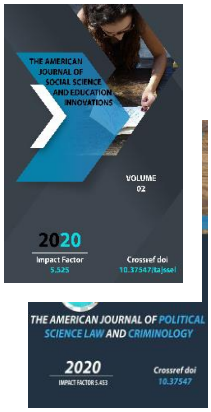

Administrative Reforms In The Republic Of Uzbekistan: Some Problems And Prospects

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ABSTRACT

In this article analyzes the reforms carried out in the spheres of the system of state management bodies of the Republic of Uzbekistan, the system of administrative bodies and administrative bodies in recent years. The article also provides a comparative analysis of the new administrative-legal relations, problems and mistakes made after the adoption of the law of the Republic of Uzbekistan "On administrative procedures", and made prospective suggestions.

KEYWORDS

Administrative reforms, administrative law, administrative act, state administrative bodies, regulatory legal ACT, Administrative Court, rights and freedoms of citizens, Legislation, Law, Administrative Procedure, strategy of action, obligations.

INTRODUCTION

We can witness that the administrative reforms carried out in Uzbekistan have reached a new level in recent years. The adoption of the "Strategy of action on five priority directions of development of the Republic of Uzbekistan in

2017-2021 [1]", as well as improving the construction of the state and society with this

strategy, ensuring the rule of law, ensuring guarantees of protection of rights and freedoms of Citizens, Development and liberalization of economic sectors and social sphere, ensuring security, harmony and religious tolerance, the fact that foreign policy in a mutually beneficial and practical spirit is established as important goals of modernization of the state and society is a proof of our word. "The main objective of this policy is to create opportunities and conditions for every citizen to realize his or her power and ability, Ability and potential [2]"- said the president SH.Mirziyoev.

At the same time, the results of a systematic analysis of the process of implementation of the strategy of action and communication with the population are still serious shortcomings that prevent the full implementation of reforms in the organization of the activities of Public Administration bodies and local executive authorities. In particular, it should be recognized that the current system of coordination and control over the activities of executive bodies does not provide for the timely detection and elimination of systemic problems that are hindering the execution of decisions, normative legal acts adopted by local government bodies, as well as by other executive bodies, in addition, administrative acts do not serve as a direct. In addition, the Ministry of Justice, together with the concerned agencies, conducted a correspondence of the current normative-legal documents, as a result of which about 2,5 thousand [3]outdated and lost their importance, excessive regulatory burden, bureaucratic obstacles and loopholes, as well as normative-legal documents that make collisions in the practice of law enforcement have been identified . And this shows that the scope of changes that must be implemented in the field is much wider.

At the same time, relying on statistical data, we can say that in recent years, the administrative documents adopted by local authorities are often found to be invalid by administrative courts. In particular, during 9 months of 2020, the dynamics of local government decisions to be considered invalid by the courts is defined as follows: the total number of cases was 2422, of which 1110 cases were found invalid documents of local authorities, 971 cases were rejected, 215 cases were completed, 126 cases were left without administrative work [4] . In 2019, the total number of works done was 2992, of which: 1255 documents found to be invalid, 1357 rejected, 233 completed works, 147 works left without seeing [5]. We can say that the occurrence of such cases is not only difficult for individuals and legal entities in the locality, but also creates a ground for the existing problems and shortcomings to accumulate without solving them.

In all respects, the reasons listed below serve as the main factor for the occurrence of these negative cases and consequences, in our opinion:

- ✓ Non-compliance with the procedures for the acceptance of administrative documents by most executive bodies, local government bodies;
- ✓ Not familiarization with the legislative norms of the authorized bodies having the authority to accept normative-legal acts and administrative acts, as well as other normative-legal acts
- ✓ Deep lack of understanding of the essence;
- ✓ The fact that public opinion is not sufficiently listened to before the adoption of a certain document, although it is listened to, in most cases is not taken into account;,
- ✓ In addition, the fact that they are cold-blooded in relation to the results of their activities by responsible persons, etc.

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Therefore, now we draw our attention to the content of normative legal acts aimed at regulating these relations. Currently, the activities of executive authorities in the Republic are regulated by the Constitution, laws and other forms of legislation. Considering on the example of local government bodies, the XXI chapter of our Constitution is devoted to the legal basis of local government bodies, which deals with the concept, powers, rights and obligations of local government bodies. In particular, we can see that in Article 104 of the Constitution: "the governor, within the framework of the powers granted to him, makes decisions that are mandatory to be fulfilled by all enterprises, institutions, organizations, associations, as well as officials and citizens of the relevant territory"[6]. We can also see that this norm is reflected in Article 6 of the law of the Republic of Uzbekistan "On local state authority"[7]. It is necessary to note in what order the decisions taken by the local state authorities, which indicate the nature of obligations for all residents and legal entities of this territory, are determined to be regulated by the law of the Republic of Uzbekistan "On administrative procedures"[8].

It should be said that the main tasks of the law "On administrative procedures"are an expression of the rule of law in relations with administrative bodies, ensuring the rights and legitimate interests of individuals and legal entities. Above, we can see that the administrative documents of the authorities, provided for in the statistical data of judicial practice, should be legal, based, fair, accurate and understandable, are established within the framework of the law. Naturally the question arises:in what case is the administrative document based? This question was also answered in the Law "On administrative procedures", according to which:

1. In the substantive part of the administrative document, all the actual and legal basis of the administrative document adopted must be laid down;
2. Administrative hujjatni during the substantiation, the administrative body has no right to rely on evidence that has not been verified or that has not been added to the administrative work in the process of administrative proceedings or that has not been given the opportunity to get acquainted with the participants in the administrative proceedings;
3. If the administrative authority is given administrative discretion (discretionary authority) at the time of admission, then in the substantive part of the administrative document, all assessments, arguments and considerations that have caused him or her to give up this or that administrative discretion (discretionary authority) must be stated;
4. The administrative body must give grounds for compliance with the principles of administrative procedures of the administrative document adopted by it.

If the administrative documents of the local authorities that meet these requirements give convenience to individuals and legal entities on the one hand, on the other hand, lead to a sharp decrease in the indicator of the fact that the documents received by the authorities in the future will be recognized as invalid by the court.

At the same time, taking into account the fact that the local state authority is a competent body that carries out executive and representative power in places, it is necessary to regularly increase the legal literacy, legal

knowledge of responsible personnel involved in the process of adoption of normative legal acts and administrative acts, to provide them with a systematic understanding of the They will also be required to comply with the requirements of the existing law "On administrative procedures"in the adoption of administrative documents by the administrative bodies.

We know that the draft legislation will be put on public discussion before its adoption, after all the opinions are collected, the issues of acceptance or not, the introduction of changes will be resolved by considering in the appropriate order. Such https://regulation.gov.uz the portal plays a significant role. In the future, before the final decision on the administrative documents adopted by the executive power and local authorities, it is time to develop public opinion, therefore, the consumers of the administrative documents issued by them are considered to be residents of the that region. After all, "The people should not serve for authority, governmental bodies should serve for citzens". [9]

CONCLUSION

In conclusion, we can say that the main purpose of the administrative reforms carried out is also to protect the rights and interests of the citizens of the Republic, to create freedoms for them, to prevent overexertion. Therefore, every normative legal act adopted, every administrative act must first of all serve the interests of the people.

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