



ORGANIZATIONAL AND LEGAL FOUNDATIONS OF PUBLIC CONTROL IN UZBEKISTAN

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Article history:	Abstract:
Received: October 7 th 2023 Accepted: November 6 th 2023 Published: December 24 th 2023	In this article, the organizational and legal foundations of public control in the Republic of Uzbekistan are scientifically analyzed and the author's suggestions are developed.

Keywords: Public control, society, democracy, stage of development.

INTRODUCTION

In the civil society that is being established in our country, state power will be restrained by the Constitution and laws, and the state, its bodies and officials will be under the control of the general public. Because state bodies and officials are "hired servants" of civil society and are responsible to the people. In particular, in all spheres of our life, accelerating the processes of liberalization, ensuring the implementation of laws, ensuring public control over the activities of state authorities, communicating with the people, and the principles of serving citizens of state bodies are gaining importance. "Public control is not only control over the activities of state agencies, but also a way of self-management of society, in other words, one of the important factors of development of civil society" [1].

The effectiveness of public control is not related to the low level of mobilization of citizens to these processes and weak expression of public interests. The functions of public control fully correspond to the specific functions of civil society. Because the weakness of the legal framework and the low level of trust in the institution of public control does not mean that the non-state sector is inactive. The effectiveness of public control is determined by a number of factors: the attitude of the population to civil society, the involvement of the general public in public control, the level of political culture of the population and the nature of interactions with state authorities.

The mechanisms of public control that are being formed in our country, in turn, are aimed at supporting local public initiatives by the authorities. In this, attention is paid to the development of partnership relations with political parties, non-governmental organizations and the society as a whole, rather than the character of domination by the state. Such cooperation can be effective and meet the demands of civil society. These are manifestations of an active civil society, which can unite public interests both in the regions and at the

national level, and can fill the gaps in the formation of democratic norms of state building with their activities. When all the elements of civil society are formed in the society and all its principles and conditions are embodied in reality, the state loses the possibility to exercise complete "control" over the society. In this case, all the real tools affecting the development of statehood will be in the "hands" of citizens, not in the authority of state bodies. The state, in this case, becomes a certain legal form of elimination of contradictions and disputes between members of society, their organizations and others. Another mechanism was introduced based on the decision of the President of the Republic of Uzbekistan No. PQ-3962 of October 5, 2018 "On measures to further strengthen executive discipline in state bodies and organizations". According to the decision, the Ministry of Information Technologies and Communications Development of the Republic of Uzbekistan together with the Accounts Chamber of the Republic of Uzbekistan will establish and launch the "Jamoatfikri.uz" portal by January 1, 2019 within the framework of the Unified interactive state services portal, non-profit organizations implies the implementation of the mechanism of public control by [2].

LITERATURE ANALYSIS AND METHODOLOGY

The article uses methods such as historicity, logic, analysis and synthesis, comparative analysis, forecasting, and systematic, functional approaches.

RESULTS

The main difference of public control from other types of control is that the object of public control is the activity of state bodies. Citizens, their associations and self-government bodies, other structures (institutions) of civil society, as well as public bodies formed within state and non-governmental non-profit organizations exercise public control over the activities of state authorities and management bodies and non-



governmental non-profit organizations. After achieving state independence in Uzbekistan, the highest goal was to establish a democratic legal state and a strong civil society. One of the most important signs of the rule of law is the unconditional recognition of the rule of law in the life of society and the state, the existence of the spirit of obedience and respect for the law in all relations between members of society. Therefore, Article 15, Clause 2 of the Constitution of the Republic of Uzbekistan stipulates that "The state, its bodies, officials, public associations, citizens shall act in accordance with the Constitution and laws."

Therefore, it is important to strengthen the institution of public control through legislation. A number of articles of our general encyclopedia contain norms defining the general principles of public control, and other legal documents regulating this institution are adopted on the basis and within the framework of the established constitutional norm. In particular, in Article 2 of our Constitution, "The state represents the will of the people and serves its interests. State power and management bodies and officials are responsible to society and citizens", Article 7 states that "People are the only source of state power". State power in the Republic of Uzbekistan is exercised in the interests of the people and only by the bodies authorized by the Constitution of the Republic of Uzbekistan and the laws adopted on its basis [3].

In addition to constitutional norms, the institution of public control is also regulated by other legal documents. In particular, Article 2 of the Law of the Republic of Uzbekistan "On the Results of the Referendum and the Basic Principles of State Power" describes the main principles of improving the legislation on further deepening of democratic reforms and the formation of civil society. It is noted as the principle of comprehensive strengthening of self-governing bodies and gradual transfer of powers of central state bodies to local state authorities, formation and strengthening of the mechanism of public control over the activities of executive authorities, including defense and security structures. done. Also, Article 15 of the Law of the Republic of Uzbekistan "On Public Associations in the Republic of Uzbekistan" stipulates that public associations participate in the formation of state power and management bodies, participate in the preparation of decisions of state power and management bodies. It also works on behalf of its members (participants) and has the right to protect their legal interests.

Over the past years, a lot of work has been done to regulate public control. In particular, the Law "On Public Control" that came into force on April 13, 2018 fully

discloses many aspects related to public control. The purpose of the law is to regulate relations in the field of organization and implementation of public control over the activities of state bodies and institutions. Public supervision is usually not considered a professional, systematic, specialized qualification, specialized supervision. This control has socio-political significance. Public control differs from other types of control according to its subjects.

In another type of control, the state body is an official, and persons with special knowledge carry out control in accordance with certain regulated procedures, and this control is mandatory. Citizens, citizens' self-management bodies, non-governmental non-profit organizations, mass media can participate in public control. They exercise voluntary, open and transparent public control. We must not forget that some people do not think that "as a citizen, the law allows me to go and control any state body." In order to prevent such situations, it was determined that the main principles defined in Article 5 of the Law should be implemented openly and impartially in the activities of state bodies and their officials in accordance with the requirements of the legislation on control. Failure to comply with these requirements may be considered a violation of the law on public supervision and may result in appropriate punishment [4].

This control and its results are different types of control and is different. A final document may be prepared in the form of a report, conclusion, reference or other form provided for by law on the results of public control. That is, unlike state control, the final document is not mandatory. The final document will be informative and suggestive. The information, recommendations and suggestions contained in it are considered by the state bodies and legal decisions are made on them. In this case, the state body must consider the document prepared as a result of public control. Article 6 of the law clearly defines 8 forms of public control. These forms include appeals and requests to state bodies, as well as participation in public board meetings of state bodies. It also includes public discussion, public monitoring, public expertise, and public opinion research [5].

The law pays special attention to the public in the implementation of forms of control. It requires collegiality and organization. In addition, the issue is aimed at preventing various abuses by people who do not understand its essence. However, this aspect does not mean that the citizen does not participate in public control. These forms of control are open and transparent. Persons who are affected or may be affected by the issue under discussion have the right to



participate, express their opinions and make suggestions. The most important part of the law is the rights and obligations of public control subjects and state bodies. Because in any relationship, rights and obligations form the basis of the relationship, from which responsibility arises. According to the law, subjects of public control should take the initiative in conducting events, request the necessary information from state bodies, prepare proposals and recommendations based on the control results and send them to relevant bodies for consideration, submit relevant materials to law enforcement bodies. is determined. Also, the rights to complain, file a lawsuit, and announce the results of public control are noted.

DISCUSSION

In this sense, for the effective functioning of public control, it is necessary to establish the middle class - the class of owners, which is the basis of civil society, to ensure openness and transparency in the activities of state authorities and management bodies, to increase the political and legal consciousness and culture of citizens. must At the same time, more than 500 non-governmental non-profit organizations should develop their own "roadmaps" for exercising their legal rights. The role and importance of the Advisory Council on Civil Society Development under the President of the Republic of Uzbekistan, which was established on May 4, 2018, is very important in ensuring the effective implementation of the law. The main tasks of the Advisory Council are to discuss current issues of concern to civil society and the general public, as well as to regularly inform the President about the state and development trends of the industry, to carry out public control, and to provide favorable conditions for work in this regard. is to create.

The creation of the legal basis of public control was an important factor in ensuring the effective cooperation of the society with the state. It serves to determine the mood of the people, their reaction to the changes taking place in the country, and to ensure the balance of interests in the society. Therefore, the perfect legal regulation of the state administration system ensures that human rights and freedoms are not only guaranteed by the state, but also their priority in the activities of state power and management bodies, and the presence of public control is an expression of political power [6].

CONCLUSION

In conclusion, it can be said that, unlike state control, the main purpose of public control is not to punish

someone, but to take into account the interests of society, opinion, public rights and legal interests in the adopted regulatory and legal documents, to protect the interests of society, social and public is to protect their interests. Announcing the results of public control is also a means of social and political influence in the practice of developed democracies, and the activities of relevant officials are widely discussed and criticized. There is no universally recognized model of public control formation in world practice. It has its own complexities related to political mentality, prudence and practice of gradually introducing democratic values. Also, the analysis shows that the rules of public control are not legally considered a separate document in the legislation of all countries. In 2015, the Russian Federation, and in 2018, Uzbekistan adopted a separate law. In the Republic of Kazakhstan, it was adopted in 2020, but in Tajikistan, Turkmenistan and Kyrgyzstan, it exists only in legal documents. However, we see that public control is sufficient in the most developed European countries, and the role of mass media is incomparable.

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