



ISSUES OF IMPROVING PROSECUTOR'S SUPERVISION OVER THE ORGANIZATION AND IMPLEMENTATION OF ELECTRONIC STATE PROCUREMENT REGARDING DESIGNATION OF PROJECT-RESEARCH ORGANIZATIONS IN THE FIELD OF CONSTRUCTION.

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Article history:	Abstract:
Received: 30 th December 2023	According to the decree of the Cabinet of Ministers of the Republic of Uzbekistan dated 09.11.2020 No. 699, the implementation of the procedure for calculating and maintaining the rating of Project - Search and construction-contracting organizations is established.
Accepted: 26 th February 2024	This decision included the procedure for forming and maintaining the rating data of legal entities registered on the territory of the Republic of Uzbekistan and whose main activity consists in the implementation of construction and installation works and services, as well as the corresponding license for the development of urban planning documents. The ratings provide the basis for the formation of a healthy competitive environment between project-search organizations, the promotion of increasing the level and quality of their innovative activities, the effective use of the potential of employees, the quality of construction and installation and project work for the real sector of the economy to the level in the world's leading countries by sector. The main directions of the rating, criteria and points determined by each criterion, as well as assessment methodologies and corresponding changes and additions to the monthly period of the formation of the rating are strictly prescribed by the Ministry of construction and housing and communal services in agreement with the Republican state for the control and coordination of the implementation of state programs approved by the

Keywords:

To calculate ratings:

- Tax Committee, State Statistical Agency and employment and work experience by the Ministry of Labor Relations, the number of qualified specialists, including employees, is the main information about the size of the means, income received, taxes paid and the salary fund;
- In the field of construction and housing and communal services, it is established by the supervisory inspection that the volume of objects completed in construction, the availability of instructions mandatory for the implementation of which to eliminate violations of urban planning legislation, and information on their implementation will be submitted to the Ministry of construction and housing and communal services.

In integrated software developed in the National Information System "transparent construction", introduced by the decision of the president of the Republic of Uzbekistan PQ-4464 of September 20, 2019, the rating of Project-SEARCH organizations is formed and resurrected.

Reach the main functions of the ratings:

- maintaining a rating of them, forming a single electronic database about Project-SEARCH organizations;
- implementation of an improved system for the effective use of centralized funds in project and construction work;
- achieve full compliance with the norms and rules of urban planning by Project-SEARCH organizations;
- development of the market of contracting and project work by forming an honest competitive environment between project-search organizations;



- to achieve the increase in the potential of Project-SEARCH organizations by training skilled workers and servants (personnel) in the field of project and construction, regularly improving their qualifications;
-it is established to ensure that project search organizations are ranked at the top in the ranking of prestigious organizations around the world in the field. Information on the ratings of Project exploration organizations is published on the official website of the Ministry of construction and housing and communal services of the Republic of Uzbekistan.

Financial criteria, information about the registered address of a legal entity and the nationwide classifier of types of economic activity (IFUT) are formed on the basis of annual, and the rest of the criteria are formed on the basis of monthly data.

These requirements do not apply to foreign project search organizations operating in the Republic of Uzbekistan.

The procedure for forming a rating of Project-SEARCH organizations

Боскичлар	Масъуллар	Амалга ошириладиган тадбирлар	Муддатлар
1-боскич	Курилиш вазирлиги	Ўзбекистон Республикасида шаҳарсозлик хужжатларини ишлаб чишили лицензияга эга бўлган юридик шахсларнинг электрон рўйхатини «Шаффо курилиш» миллый ахборот тизимида ташкил этилган рейтинг дастурига жойлаштириш.	Ҳар чорак якунидан сўнг кейинги ойнинг 10-кунига кадар
2-боскич	Давлат солик кўмитаси, Давлат статистика кўмитаси, Курилиш соҳасида назорат инспекцияси, мутасадди вазирликлар ва идоралар	Статистик ва идоравий маълумотлар базалари негизида «Шаффо курилиш» миллый ахборот тизими билан интеграциялаштирилган дастурий тъзинот воситасида рейтингни хисоблаш учун талаб этиладиган тегишли статистик ва идоравий маълумотлар белгиланган тартибда интеграция килинишини тъзинлаш.	5 кун муддатда
3-боскич	Курилиш вазирлиги	«Шаффо курилиш» миллый ахборот тизими билан интеграциялаштирилган дастурий тъзинот воситасида рейтинг автоматик хисобланиши тъзинлаш.	Белгиланган тартибда
4-боскич	Курилиш вазирлиги	Лойиха-кидирув ташкилотлари рейтинги тўғрисидаги маълумотларни Курилиш вазирлигининг расмий веб-сайтига жойлаштириш.	Рейтинг натижалари чиккандан сўнг бир кун муддатда

By decree of the Cabinet of Ministers of the Republic of Uzbekistan No. 46 of 31.01.2022, the regulation on the procedure for organizing electronic public procurement for the establishment of project and exploration organizations in the construction sector was approved.

This regulation is applied in accordance with the programs for tender sales carried out by state customers on the development of project-estimate documentation for the construction, reconstruction and perfect repair of objects financed by the funds of the state budget funds, budgets of the budget system of the Republic of Uzbekistan, as well as other funds established in budgetary organizations.

On the basis of rating indicators in the National Information System "transparent construction" of the project organization on construction sites, tender (competition) sales conducted without a human factor are determined, and contracts for the end of tenders are also concluded electronically, by digital signature.

The criteria for calculating the rating points of the project organization, which became the most important factor in determining the winner of the Tender, the procedures for conducting the tender were revised and simplified, and its duration was reduced from 17 working days to 13 working days.

For reference. 23.on the surface of these mechanisms. 11. In 2022 relevant amendments and additions to legislative acts according to the resolution of the Cabinet of Ministers No. 665 was adopted.

In addition, in order to ensure openness and public control, the rating and information about the urban planning documents of each construction object in state programs, the volumes of work performed and the funded funds are published on the Internet in real time "reyting.mc.uz "and". monitoring.mc.uz " sites were launched.

As a result, the rating scores of 2,087 project organizations previously closed to the public and the indicators that formed them are now kept public.



The procedure for the implementation of prosecutor's control over the organization and implementation of electronic public procurement for the designation of a project-search organization.

In paragraph 3 of the resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 46 of 31.02.2022, the first heads of relevant ministries and departments are responsible for the validity of the information provided to the platform electronically.

At the same time, the Regulation approved by this decision

Paragraph 50 establishes that persons guilty of breach of requirements must meet in the manner prescribed by the legislation.

Of the Competition Act of the Republic of Uzbekistan Article 29 prohibits actions that lead to or may lead to restrictions on competition in trade, including the following:

- violation of the legislative procedure for conducting sales;
- influence on the process and results of trading;
- the use of a price algorithm that leads to the artificial formation of prices in electronically conducted sales, that is, software that allows you to monitor, calculate, set and control the price of goods based on predetermined parameters.

Based on the above, it was noted that in purchases made by operators, the corresponding ministry will lead to a violation of the requirements of the "Competition Act" if the incorrect introduction of information about participants in electronic form affects the process and results of sales.

Article 215 of the Code of administrative responsibility of the Republic of Uzbekistan states that officials violate the procedure for submitting state statistical reports, distort reporting data or violate the deadlines for submitting reports, expressed in the absence of reporting and other information necessary for conducting state statistical monitoring.

In Article 2782 of the Criminal Code of the Republic of Uzbekistan, the illegal (unauthorized) use of computer information, that is, information in information and computing systems, networks and their components, if this act is the reason for the destruction, blocking, modification, copying of information or its capture, violation of the work of electronic computing machines, electronic computing machinery system or their networks, it is strictly established that persons who commit these acts are criminally liable.

Due to the requirements of the above-mentioned regulatory legal acts on cases of violation of the law, which were identified during the control measures

carried out by the prosecutor's office, it is ensured that a legal action will be taken.

In place of the conclusion, we can say that the control of the prosecutor is being improved in the field of construction, we can see that each one has its own control.

Within the framework of the nationalistic policy implemented in the Republic of Uzbekistan on the basis of "for the sake of Man", special attention is paid to the construction sector and large-scale reforms are being carried out to ensure that the population uses ugly and solid structures.

These reforms serve to practically guarantee the freedom of entrepreneurship, work in favorable working conditions, a continuous education system and the right to use qualified medical services of each person as defined in the Constitution of the Republic of Uzbekistan.

In 2023 alone, nearly 13,754 private and 14,273 program-area facilities were completed and put into use.

Today, the development of projects by modern standards and the construction of quality construction structures remains one of the most significant issues.

One example of this can be seen from the above-mentioned decision of the president of the Republic of Uzbekistan No. 43 and the tasks assigned to it mainly to the prosecutor's office.

The establishment of the Control Department over legislative implementation in the construction sector in the prosecutor general's Office of the Republic of Uzbekistan in this area and the provision of additional state units, as well as the establishment of the positions of assistant district attorney for construction in each area, also serves as an important tool for the acquisition of large-scale, state and budgetary funds.

In the selection of Project organizations, the new digitized system mentioned above has its effect, public procurement in this regard is carried out without a human factor in the National Information System "transparent construction", preventing the risks of corruption and conflicts of interest.

As part of the programs in 2023 alone ... public procurement was carried out on construction projects through the transparent construction electronic platform, project organizations were selected on the basis of rating indicators, and project



estimate documents were developed on the basis of urban planning norms and rules.

In these processes, control measures are regularly studied and carried out by the headquarters and working groups established in the prosecutor's offices, providing accurate information by the departments integrated into the electronic platform "transparent construction".

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