



Journal Website:
<https://theamericanjournals.com/index.php/tajpslc>

Copyright: Original content from this work may be used under the terms of the creative commons attributes 4.0 licence.

Research Article

DOCUMENTS OF THE PROSECUTOR'S SUPERVISION IN ENSURING THE LEGALITY OF DECISIONS OF LOCAL REPRESENTATION AND EXECUTIVE BODIES

Submission Date: November 04, 2023, **Accepted Date:** November 09, 2023,

Published Date: November 14, 2023 |

Crossref doi: <https://doi.org/10.37547/tajpslc/Volume05Issue11-03>

Shokirov Oybek Azizjon ogli

PhD student of the Republic of Uzbekistan Protecting the Academy, Uzbekistan

ABSTRACT

Ensuring legality in a democratic society, establishing the prosecutor's control over the supremacy of law and their uniform implementation is of particular importance for building a civil society and increasing the legal consciousness and culture of citizens.

of the Updated Constitution of the Republic of Uzbekistan According to Article 143, "The General Prosecutor of the Republic of Uzbekistan and the prosecutors subordinate to him shall exercise supervision over the precise and uniform implementation of laws in the territory of the Republic of Uzbekistan." Articles 144 and 145 of our dictionary reflect the fact that the prosecutor's office shall exercise its powers as a single centralized system under the leadership of the Prosecutor General of the Republic, independently of any state bodies, public associations and officials, only in accordance with the law.

KEYWORDS

Law, "On the Prosecutor's Office", Law of the Republic of Uzbekistan.

INTRODUCTION

The rule of law in our country ensures the construction of a strong state that can protect its independence and ensure the rights and freedoms of citizens only as a result of the strict implementation of the requirements of the law.

The powers granted to the prosecutor allow timely detection of cases of violations of the law, attracting the attention of persons who have the right to eliminate the state of violations of the law, bringing the offenders to justice in accordance with the law, and taking measures to eliminate the causes and conditions

that caused the violations. The powers of the prosecutor in this field are mainly formulated in Article 22 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office".

The object of the prosecutor's supervision is the competence of the prosecutor's office to accept the decisions of local representation and executive bodies. Here the specific scope of authority is defined, including the scope of authority of a specific prosecutor's office. For example, the district prosecutor's office must inspect and control the objects in its territory.

The subject of the prosecutor's supervision is the official who performs the prosecutor's control activities - the prosecutor (the official of the prosecutor's office performing the prosecutor's control). The subject of the prosecutor's supervision is an official of the prosecutor's office who performs the control powers and tasks assigned to him in the manner and basis established by the law.

A prosecutor's supervision document is a document issued, entered and published by an authorized official - a prosecutor, within the scope of authority given by law and in accordance with the form established by law.

Documents of the prosecutor's supervision must meet the requirements of legality, reasonableness and motivation, the information in it must be logical, fully stated and in accordance with the materials of investigation, study, analysis and summarization.

The prosecutor's supervision practice pays great attention to the conditions necessary for the effectiveness of the prosecutor's influence documents.

These are the main conditions:

- timely introduction of the prosecutor's influence document;
- accuracy and truthfulness of the facts indicated in it;
- the legal basis and evidence of the prosecutor's proposals presented in the document;
- the right way to enter the document is considered.

There are specific conditions for their application for each type of control documents over the execution of laws. For example, when filing a protest, it is based on the violation of a specific law in the process of accepting or issuing a legal document by an official of the administration, that is, the official issued an illegal document.

Submission is necessary to pay attention to the clear expression of the connection between the violation of the law, its origin and the conditions that make it possible, as well as to the sufficiently precise expression of the prosecutor's proposals, that is, it is clear that the action (or inaction) of the official of the Hokimat against the law is the submission serves as a basis for introduction.

In this case, it is necessary to pay attention to the fact that one or more officials committed illegal actions (not the adoption of a document that is against the law by them), to eliminate these shortcomings and to prevent such shortcomings in the future, as well as regarding the cases of errors and omissions. may involve showing the application of influence measures to relevant persons.

Submits an application to the court in order to protect the rights and legal interests of citizens, legal entities and the state by canceling the decision of the local authority. In this case, it is not necessary that a specific violation of the law has been committed, but it is used

in order to help citizens realize their interests protected by law, to ensure that their rights and freedoms are protected by the court.

Disciplinary action against the official when he/she commits illegal actions. a decision to initiate a case is issued. In this case, it should be noted that the prosecutor will not be held responsible and a decision will be taken to initiate a case only in connection with this situation.

Summarizing all the points made above, in our opinion, it is appropriate to put forward the following as final conclusions:

First, in order to increase the effectiveness of making fair and legal decisions on administrative cases related to land relations, developing a draft law that stipulates the mandatory participation of the prosecutor in these cases;

Secondly, in order to eliminate the problems arising in the application of legislation in the courts regarding land-related cases, to reliably protect the rights and legal interests of citizens and entrepreneurs, to develop a draft decision of the Plenum of the Supreme Court "On the correct application of the norms of legal documents in the protection of land-related cases in the courts";

Thirdly, in order to increase the knowledge of the responsible employees of the administration, the cadastral body and lawyers in solving land-related issues and to teach them the requirements of the Law "On Administrative-Procedures" and other legal documents related to land, the Center for the Advancement of Legal Qualifications under the Ministry of Justice, distance learning at the Higher School of Judges organization of courses;

Fourthly, the implementation of the electronic data exchange system related to the state registration of land and property rights between the Chamber of State Cadastres, the court, the prosecutor's office and local government bodies, as well as the implementation of quarterly comparisons.

REFERENCES

1. Artyushina O. N. Subject of prosecutor's supervision for the implementation of local laws / O. N. Artyushina // Vestnik Kostromskogo gosudarstvennogo universiteta im. N. A. Nekrasova, 2013. No. 2. S. 123-124.
2. Boev A. A. Powers of the prosecutor's office of the Russian Federation to ensure that local self-management is established / A. A. Boev // Gap in Russian legislation, 2013. But. 2. pp. 18-19.
3. Evdokimov A. S. Prosecutor's supervision over the legality of legal acts of representative bodies of local self-management / A. S. Evdokimov // Bulletin of the Volga Academy of Public Services, 2010. No. 1 (22). pp. 103-107.
4. Palamarchuk A. Current issues of prosecutorial supervision over the implementation of federal legislation. M.: Gen. prosesor Ros. Federation, 2014. 328 p.