

Specific Aspects of Efficiency of Local Council in the Uzbekistan



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ABSTRACT: This article examines the specific aspects of the activity of local councils in the Republic of Uzbekistan and their specific characteristics, the manifestation of these aspects in practice in terms of the powers and functions of the Councils of People's Deputies is subjected to detailed analysis and discussion.

KEYWORDS: local councils, efficiency, authority, function, norm creation, supervision, control, organization-management, obtaining information, representation, main directions.

INTRODUCTION

At present, in the political and legal system of Uzbekistan, people's deputies, who are the lower body of parliament - the Oliy Majlis, exercising the powers of the legislative authority, ensure the effectiveness of the activities of regional, district and city keneshes, ensure the full and high-quality implementation of the powers and duties assigned to them is a pressing issue of the concept of the effectiveness of the local council and its specific aspects in ensuring its implementation. In particular, the President of the Republic of Uzbekistan, Sh.M. Mirziyoyev, in his address to the Oliy Majlis in 2018, rightly objected to the activities of local councils as follows: It was suggested that it is necessary to create a spirit of self-criticism. However, the role of parliament and deputies in these areas is not sufficiently felt... If we pay attention to the reports, it seems that positive changes are taking place in the activity of local councils, but they are reflected only in numbers. We need concrete results, not numbers... When the situation in the regions changes in a positive direction, when the budget execution is fully ensured, crime decreases, new jobs are created, and most importantly, when the standard of living of our people improves, then the activity of local councils can be positively evaluated." [1] In addition, the President of the Republic of Uzbekistan, Sh. M. Mirziyoyev, in his speech at the first meeting of the Senate of the Oliy Majlis on January 20, 2020, rightly expressed the following opinions: "The most regrettable thing is that local councils hardly use their powers to find solutions to urgent issues in the regions. It is known that in recent times, especially in the last three years, legal frameworks aimed at strengthening the control activities of local councils have been created. In particular, the accountability of the mayor, deputy mayor, heads of the prosecutor's office, justice, internal affairs, finance, tax and health departments has been determined. Although local councils are given such broad powers in the legislation, their results are not visible in practice." [2] This in itself shows that the specific aspects of the effectiveness of the local council are an important and urgent issue.

LITERATURE ANALYSIS AND METHODOLOGY

Issues related to specific aspects of local council activity in Uzbekistan Z. Israilova, S. Adilkhodjayeva, Sh. Asadov, D. Bekchanov, A. Dadasheva, Sh. Jalilov, G. Ismailova, A. Yoldoshev, By G. Malikova, A. Mahmudov, S. Muratayev, H. Odilgariyev, M. Radjabova, H. Ruzmetov, I. Sobirov, A. Tolaganov, I. Khamedov, O. Khusanov, A. Babadjanov, on the scale of the CIS countries By V. Avsenko, A. Akmalova, G. Atamanчук, M. Baglay, V. Baranchikov, G. Barabashev, N. Bandar, V. Bocharov, T. Byalkina, O. Kishakovskaya, R. Mukhayev, M. Yegorova, foreign and in countries A. Herbert, M. Jeffery, A. Thompson, W. Donald, W. Smithburg, Jesse Ribbot, Case Miller Allin Lockner (USA), A. Chandler, J. Kingdom, Steve Parkinson, Rod Latham, Roger Kemp (Great Britain), Carlos Silva Jean Buchek (Switzerland), Maleka Banu, Siddique Kamal (Bangladesh), Orapin Sopchokchai (Thailand) have been sufficiently and extensively studied.

DISCUSSION AND RESULTS

First of all, if we talk about the concept of efficiency, in the "Annotated Dictionary of the Uzbek Language" which contains more than 80,000 words and phrases, the word efficiency is lexically useful, It is determined that it means productive, good result, useful, usefulness. [3] That is, efficiency means direct usefulness, productivity, intended result or goal achievement.

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Now, if we directly explain the concept of the effectiveness of the local council, first of all, we should emphasize that the local councils are the lower representative body of the state power. Using the deductive method, we can clarify the concept of the effectiveness of the local council directly by highlighting the specific aspects of the local council's activity. In our opinion, the specific aspects of the concept of the effectiveness of the local council are manifested in the following:

➤ **the goal of the local council's activity is the socio-economic development of the regions, social protection of the population, full realization of the people's power, i.e. becoming the real "voice" of the people and strengthening its role in state and community management.** In particular, there are different opinions among scientists about the purpose of the local council's activities. For example, in the studies of legal scholar A. Makhmudov, in the comprehensive development of regions, in the integral realization of the interests of individuals, society and the state, in ensuring the unconditional execution of legal documents, in involving citizens in state management, most importantly, in the local level, the implementation of democratic principles. In the publication, opinions were put forward about the unique role and importance of representative bodies of local state power. [4] That is, in this case, the economic, social and legal goals of the local council are reflected. However, contrary to this opinion, according to Professor I. Hamedov's note, local executive authorities are responsible for socio-economic development of the respective regions. [5] In our opinion, it is not possible to ensure the effectiveness of local council activities unless the main goals of the local council are defined. In particular, the Law No. 913-XII of the Republic of Uzbekistan dated September 2, 1993 "On Local State Power" does not specify the main goals of local council activity. It should be noted that according to the preamble of the Decree of the President of the Republic of Uzbekistan dated February 2, 2024 "On measures to increase the efficiency of the activities of local state authorities" No. PF-28, local it was determined that the main goal of the council's activity should be the socio-economic development of the regions, social protection of the population, full realization of the people's power, that is, becoming the real "voice" of the people and strengthening its role in state and community management. [6] The clear definition of these goals at the level of the regulatory legal document helps to clearly and uniformly understand the purpose of the activity of the local council;

➤ **the activity of the local council is directly related to the creation of norms, supervision, control, organizational-management, obtaining information and representative functions and powers.** As we know, Article 122 of the new version of the Constitution of the Republic of Uzbekistan stipulates the following powers of the Councils of People's Deputies:

➤ review and adoption of relevant local budgets, control over their execution - control function;

➤ approval of programs for socio-economic development of regions and social protection of the population - norm creation function;

➤ approving the governor, hearing reports on his activities - control function;

➤ exercise other powers provided by this Constitution and laws. [7]. These powers are directly constitutional powers of local councils.

➤ Also, according to Article 24 of the Law No. 913-XII of the Republic of Uzbekistan dated September 2, 1993 "On Local State Power", the Regional, District, City Council of People's Deputies exercises the following powers:

➤ according to the presentation of the mayor, approving the prospective programs of the development of the territory, the general plan of the district, the city and the rules of its construction - the function of creating norms;

➤ review and adoption of local budgets of the regions and the city of Tashkent, as well as the budgets of districts and cities according to the presentation of the governors of the relevant regions and the city of Tashkent, districts and cities;

➤ receiving for information forecasts of regional budgets of regions, the city budget of Tashkent city and the budgets of districts and cities - control function;

➤ approving decisions on making changes to the regional budgets of the regions and the city budget of the city of Tashkent, the budgets of districts and cities - the function of norm creation;

➤ hearing the reports of the allocators of the regional budget funds financed from the relevant budgets on the effective use of budget funds and the results achieved - control function;

➤ reviewing and approving the reports on the implementation of local budgets of the regions and the city of Tashkent, as well as the budgets of the districts and cities in the relevant period according to the submission of the governors of the respective regions and the city of Tashkent, districts and cities - control function;

➤ setting the rates of local taxes and other mandatory payments within the limits set by the legislation - the function of norm creation;

➤ approving the mayor and his deputies, dismissing the mayor and his deputies, listening to reports on their activities, as well as the reports of the mayors on the most important and urgent issues of the socio-economic development of the region, district, city - control function;

➤ approving the mayor's decisions in the cases provided for by this Law is a norm-creating function;

➤ approving the Rules of Procedure of the Council of People's Deputies, regulations on permanent and other commissions of the Council of People's Deputies, making changes and additions to them - organizational-management function;

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- creation, election and termination of permanent and temporary commissions and other bodies of the Council of People's Deputies, changing their composition, listening to reports on their work - organizational-management and control functions;
- in the cases and procedure established by the legislation, to recognize and terminate the powers of people's deputies before the deadline, to give consent to hold them accountable - organizational-management function;
- hearing the reports of the heads of departments, departments, and other structural units of the executive power, including the reports on compliance with laws, the implementation of the decisions of the relevant Councils of People's Deputies and the recommendations of the permanent commissions - control and control functions;
- hearing the reports of the relevant prosecutors - control function;
- Hearing the reports of the heads of the territorial divisions of the Ministry of Internal Affairs of the Republic of Uzbekistan is a control function;
- hearing the reports of the heads of regional health management bodies, heads of district (city) medical associations - control function;
- listening to the information of the heads of the appropriate regional justice departments and districts (cities) justice departments - control function;
- reviewing the requests of people's deputies and making decisions on them - control function;
- cancellation of the decisions of the mayor and the lower council that do not comply with the legislation of the Republic of Uzbekistan - the functions of supervision, control and norm creation;
- Approval of the structure of the administration, its staff and salary fund according to the submission of the mayor - functions of control and norm creation;
- People's deputies of regions and Tashkent City Councils review and approve limited amounts of regulatory interbudgetary transfers allocated from the regional budgets of the respective regions and from the city budget of Tashkent city to the budgets of districts and cities - control function;
- people's deputies of the regions and Tashkent City Councils shall take land plots for public needs in exchange for compensation for life ownership, permanent ownership, permanent use, term (temporary) use or lease rights, which will be bequeathed to individuals and legal entities and making decisions about demolishing real estate objects located on confiscated land plots - the function of norm creation;
- Regional, District and City Councils of People's Deputies at least once a year in their meeting shall determine the rights and freedoms of the citizens of the relevant court, as well as the rights of enterprises, institutions and organizations and the rights of the presidents of the regional and Tashkent city, inter-district, district (city) courts. to hear information about the activities related to the implementation of judicial protection of the interests of the client, to send a decision on this issue to the Supreme Council of Judges of the Republic of Uzbekistan - the function of receiving information;
- Regional, district and city Councils of People's Deputies are responsible for the rights and legal interests of citizens, ensuring socio-economic development, environmental protection, organizational issues and other issues related to control in accordance with the legislation of the Republic of Uzbekistan its solution is a control function. [8]

Now, if we clarify the concept of direct function, according to T.V. Byalkina, the goal of any management activity is achieved through the realization of certain functions. [9] That is, the function is the main direction of activity aimed at the solution of directly targeted problems. In the theory of local government, the following are included in the main functions of local government bodies: 1) ensuring the participation of citizens in solving issues of local importance; 2) comprehensive development of regions; 3) protection of public order; 4) protection of rights and interests of representation and local government established by law, etc. [10] However, we can understand from this scientific theory that in order to carry out their activities, local councils are only required to ensure the participation of citizens in solving locally important issues, comprehensive development of regions, protection of public order, protection of the rights and interests of representation and local government established by law. an understanding is formed that rights and powers should be given only in the sphere of doing. That is, this theory cannot fully reflect the main functions and powers of the local council. In our opinion, fully supporting the opinion of legal scholar A. Makhmudov, among the functions of representative bodies of local government, include: representation, law-making, i.e. adoption of regulatory legal documents within the scope of their authority, implementation of control functions possible [4]. Not only that, it is possible to include, but it is necessary to define the functions of representation, norm creation and control as the main functions of local councils. In particular, according to the point of view of A. Dzhagaryan and N. Dzhagaryan, taking into account the formation of the local representative body through elections and the fact that it is a collegial body, it performs the function of people's representation at the local level. Also, in their opinion, this body is the main body that implements norm creativity at the local level. [11] That is, from this definition, the function of representation and norm creation of local councils is understood. However, V. A. Shepashev, who disagrees with this opinion, notes that the main function of the representative body is norm creation and control. [12] National jurist scientist S. Muratayev emphasizes that local representative bodies carry out such functions as control over the execution of laws, representation, adoption of the state budget and control over its execution, and participation in the formation of state bodies. [13] That is, in this

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view, the national legal scientist S.Muratayev excludes the function of creating norms from the main functions of the local council and includes such functions as the adoption of the state budget and control over its execution, participation in the formation of state bodies. Another group of scholars notes only the representative function of local representative bodies. According to them, all the powers of the representative body are exercised through this function. [14] However, in our opinion, it is absurd to achieve the effectiveness of the local council by only performing the representative function in the local council.

Also, in paragraph 3 of the Decree of the President of the Republic of Uzbekistan dated February 2, 2024 “On measures to increase the efficiency of the activities of local state authorities” No. PF-28 as the main directions of increasing the efficiency of the activities of local councils the following was determined:

- improvement of control activities of local Councils, their bodies and deputies, formation of effective control system;
- to determine the mechanism of submission of proposals to the Senate of the Oliy Majlis by local Councils on important and urgent issues related to the interests of the region;
- improvement of activities of local Councils in the field of norm creation;
- ensuring broad participation of the public in the development of decisions of local councils;
- to further strengthen the main guarantees of the status and activity of deputies of local Councils;
- establishing mutual and international cooperation in the activities of local Councils;
- Full digitization of local Councils, measures against bureaucracy. [6]

CONCLUSION

In our opinion, the following specific aspects are important in improving the efficiency of local councils:

- the goal of the local council's activity is dependent on socio-economic development of the regions, social protection of the population, full realization of people's power, that is, becoming the real “voice” of the people and strengthening their role in the management of the state and society;
 - the activity of the local council is directly related to the creation of norms, supervision, control, organizational-management, obtaining information and representative functions and powers;
 - That the main directions of improving the efficiency of local councils are determined in advance at the legislative level.
- After all, determining the specific aspects of the effectiveness of local councils is important in the development of mechanisms for improving the effectiveness of local councils in Uzbekistan..

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