

Protection of Property in Uzbekistan and Further Improvement of Private Property

Akhmadov Bekhzod Obidoglu, Karimov Erkin Kodirovich

Teachers of Bukhara branch of Tashkent Institute of Irrigation and Agricultural Mechanization Engineers

ABSTRACT: This article describes the procedure for protection of property, further development of private property, compensation for damage caused to citizens and legal entities in connection with the seizure of land plots for state and public needs, illegal occupation of land and construction of buildings and structures. A number of issues related to state control are covered. The distinction between the demolition of unauthorized housing and the seizure of land for state and public use has been scientifically, economically and legally explained. A number of statistics on illegal housing in our country have been analyzed and the necessary recommendations have been made.

KEYWORDS: arbitrariness, building and construction, land, state and public needs, plot of land, compensation, governor, investor.

Introduction

The value of the earth to man was so great and priceless that he protected every inch of it, even if it meant sacrificing his life. Man regarded this black earth as his homeland, which in turn is inextricably linked with man and the earth, which binds man and the earth to eternity. How and from whom the earth should be protected in a time of peace and tranquility today. For thousands of years, our ancestors fought and did not give a penny to the enemy. They took care of their homeland. At a time when the world is rapidly evolving, from whom should we protect the earth. How do we create and shape land legislation? A question arises today. Today, in a time of peace and tranquility, we are required to protect the earth from whom. Unfortunately, we have also realized the answer to this. We have to protect our land from ourselves.

Problem statement: Tonight, the issue of SNOS has become one of the most important issues of the day, week, month and even year on television, newspapers, magazines, radio and a number of media outlets. In this part of the country, the number of protests and protests over snos is growing, but not decreasing. So what's the real issue or why? Why are ordinary people so upset by cadastral and architectural and construction organizations. The mayors do not know what to do in such a complicated situation and where to solve such serious problems. Why is it that the issue has been raised by the district governor, the governor and even the prime minister? There is only one reason for such serious problems, and it is not a simple reason that our people confuse the two concepts. The first is the confiscation of land plots for the needs of the state and society, and the second is the return of arbitrarily occupied land plots to their owners, ie the state, and the demolition of buildings and structures built there. Unfortunately, some leaders, let alone ordinary people, could not distinguish between these two issues. Officials who have studied, worked in this field, and held leadership positions in this field are also torturing the common people without understanding the essence of the two concepts. Whether the legislation of our country has not developed normative legal acts on this issue, or even if it has been developed, does not provide enforcement discipline. Let's analyze them. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 97 of May 29, 2006 Resolution of the Government of the Republic of Uzbekistan No. 146 of May 25, 2018 on measures to improve the procedure for the implementation of urban planning activities and the allocation of land for other non-agricultural needs Resolutions No. 1047 on the approval of the Regulation on the formation and use of funds of centralized funds to compensate individuals and legal entities in connection with the seizure of a number of served as an important normative legal document in solving problems.

Research method: The above normative-legal documents did not solve all the problems in the land legislation, especially in the field of snos, so there was a need for a new normative-legal document. had to tear down the wall. The people are tired of the rumors, and this issue should have been resolved. A new piece of legislation has been passed by the government that will address the issue of snos. On November 16, 2019, the Cabinet of Ministers adopted Resolution No. 911 on additional measures to ensure the guarantees of property rights of individuals and legal entities and to improve the procedure for withdrawal and compensation of land plots. ushered in a new era of reform in the snos issue. And what a new order this snob has brought to our society. According to this decision, from January 1, 2020, the following procedure was introduced.

If it is necessary to withdraw the land plot:

- open discussion between the government or the media with the participation of investors and owners.
- Preliminary calculations are made, the availability of sufficient resources for compensation is studied.

By the Jogorku Kenesh of the Republic of Karakalpakstan, the Councils of People's Deputies:

- the benefits and costs of land acquisition will be explored.
- when the resources are sufficient and the benefits and costs outweigh the costs, the decision is made to withdraw the land. In this case, the governors have no authority to accept.
- the real estate on the plot of land to be confiscated will be assessed by the appraisal organization.
- the type, amount and timing of compensation are agreed between the municipality or the investor and the owners, and the agreement is notarized.
- demolition of real estate is not allowed until agreed compensation is paid.

Once the owners have received the agreed compensation:

- the property is vacated by the owner.
- a draft resolution on the demolition of real estate by the governors is sent to the judiciary for a conclusion.
- the judiciary examines whether compensation has been paid, whether the houses have been vacated in practice, and so on, and submits its findings to the authorities.
- the decision to demolish the real estate will be made only if the conclusion of the judicial authorities is positive.

The prosecutor's office monitors the implementation of the law on the seizure of land plots. It should be noted that if the land is privately owned, this procedure does not apply to them. The issue of snos, which has plagued the people so far, has been resolved through the above procedure. Now, let's look at the other side of the coin. There is a second aspect to the demolition of buildings and structures. This is the process of demolition of buildings and structures built on arbitrarily occupied land plots. There are a lot of problems and protests among the people on this issue. How is this issue being implemented in our society. First of all, we need to understand what is included in arbitrary constructions. The following are considered to be unauthorized constructions:

- Buildings built without a decision of the competent authority on land allocation or beyond the boundaries of a legally allocated land plot.
- Buildings built on unallocated land, such as irrigated land.

How much do we know about the demolition of unauthorized housing?

Today, the homes of those who say that my house is being demolished for no reason are indeed built illegally. Given that the law is the same for everyone, illegally built homes should be demolished. No compensation is paid by the state for the demolition of unauthorized housing. Anyone who builds a building arbitrarily will be warned to demolish the building within fifteen days. If the person who built the building arbitrarily does not demolish it within fifteen days:

- the building will be demolished by court order.
- the execution of the court decision is determined by the MIB.
- the costs of demolishing the building, compensating for the damage and rehabilitating the land will be borne by that person.

Conclusion: Uzbekistan is a country with extremely limited land resources and a rapidly growing population. Population growth is much faster than irrigated land. There are 8 people per hectare of irrigated land. The total area of arable land is 17.8 million hectares, and according to the Asian Development Bank, the amount of irrigated land will decrease by another 20-25% in the next 30 years. a number of responsibilities have been established for its implementation. Today, people are protesting that my house is in a state of disrepair, that my house is being demolished, and that no compensation is being paid. According to the census, in 2018-2019, in more than 23,000 cases, citizens arbitrarily occupied 3,900 hectares of land, and illegal buildings were built on 6,000 hectares of arable land. That means 23,000 violations. Will 23,000 families be left homeless now? It is necessary to take legal measures against demolished houses, but also to take long-term measures to prevent the eviction of the population. , further simplification of the land allocation process should ensure transparency. A study conducted by the Ministry of Justice revealed that in 2018, 335 hectares of land were illegally allocated by local authorities, resulting in more than 20.4 billion soums of damage to local budgets. The most important issue is the introduction of new innovative technologies in the process of land allocation by district governors, as well as the elimination of corruption in the allocation of land plots. It is no exaggeration to say that the reduction of the powers of district governors in the acquisition of land plots, especially for the needs of the state and society, was an important step in land legislation. Today, we must take the land management system to the highest level in the development of the country, as well as in any other field. There is a need to develop transparent mechanisms for land allocation, land allocation and land acquisition for the needs of the state

and society. Carrying out new work on raising the legal literacy of the population in the system of land use, explaining to people the difference between the seizure of land plots for the needs of the state and society and the demolition of illegally built houses on arbitrarily occupied lands need to take. Understanding the nature of these two similar issues has become one of the most pressing issues today. When will the people agree with the government? Only when everyone does his job sincerely and conscientiously and fights for the future of the country as one body and soul. Every inch of the earth is as sacred as a mother. No one should forget this.

References:

1. Decree of the President of the Republic of Uzbekistan F-5491 of August 3, 2019 on additional measures to ensure the unconditional guarantee of property rights of citizens and business entities.
2. Resolution of the Cabinet of Ministers No. 911 of November 16, 2019 on additional measures to ensure the guarantees of property rights of individuals and legal entities and to improve the procedure for withdrawal and compensation of land plots.
3. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan on approval of the Regulation on the formation and use of funds of centralized funds to compensate for damage caused to individuals and legal entities in connection with the seizure of land for state and public needs 26 2018 -December, 1047-son.
4. Resolution of the Cabinet of Ministers No. 146 of May 25, 2011 on measures to improve the procedure for the implementation of urban planning activities and the allocation of land for other non-agricultural needs.
5. Resolution of the Cabinet of Ministers of May 29, 2006 No. 97 on approval of the Regulation on the procedure for compensation of damage caused to citizens and legal entities in connection with the seizure of land plots for state and public needs.