



LEGAL REGULATION OF APPLICATIONS IN INTERNAL AFFAIRS BODIES.

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Abstract. In this article, the review of appeals of individuals and legal entities in the system of internal affairs bodies of the Republic of Uzbekistan, its legal basis, legal gaps identified in the review of appeals, existing conflict situations and their practical analysis are covered. Also, in the article, the legal analysis of the procedure for receiving, considering and resolving the appeals of individuals and legal entities was carried out, and the activities of the internal affairs bodies in this field were explained from a legal point of view. The article concludes that it is important to provide a legal solution to the existing legal situations of receiving the appeals of individuals and legal entities of the internal affairs bodies in order to achieve the effectiveness of the activity.

Keywords: internal affairs bodies, individuals and legal entities, appeal, application, complaint, offer, mass admission and traveling admissions, deadlines for consideration of appeals, human rights and freedoms, law, order, regulation.

Introduction.

It is known that in recent years in our country, great attention has been paid to communicating with the people in order to protect the rights and interests of citizens, to learn about their concerns, and to find solutions to problems and to please the people has become one of the most important tasks of our state policy.

Indeed, as defined in our Basic Law - Constitution, the People are the only source of state power, and State bodies and officials are responsible to society and citizens [1].

Therefore, accepting the appeals of individuals and legal entities, listening to them, studying their problems, and finding solutions are among the important tasks of civil servants. Citizens have the right to receive answers by applying to state bodies in the prescribed manner, and through this they find solutions to their problems, and at the same time, they directly participate in state management through their suggestions.

this point, it should be said that if the state organizations and their officials require special knowledge and responsibility in working with appeals and responding to them, citizens should also have a certain level of legal awareness and culture.

Material and methods

In the research work, the problems arising in the above-mentioned practice related to the application of this framework, normative misunderstandings and the rules that should be taken into account when taking into account the interests of the victim are analyzed, at the same time, comparative legal analysis, statistical data data analysis, law enforcement practice, and observation, generalization, induction, and deduction methods were used.

Research results and analysis

In the Republic of Uzbekistan, relations regarding appeals are regulated by separate laws and other regulatory legal documents, in which the objects and subjects of the right to appeal, forms, types, procedure, terms, principles and other requirements and rules of appeal all norms are set.

Legislation related to appeals includes the Constitution of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan "On Appeals of Natural and Legal Entities"[2], as well as the Decree of the President of the Republic of Uzbekistan dated December 28, 2016 "On Appeals of Natural and Legal Entities" Decree No. PF-4904 [3] "On measures to fundamentally improve the system of work", PF-5633 of January 17, 2019 "On measures to further improve the system of work with population problems" Decree No.[4] was adopted.

Based on the requirements of the time, the Republic of Uzbekistan Amendments and additions were made to the Law "On Appeals of Individuals and Legal Entities" adopted on December 3, 2014 and approved in a new version on September 11, 2017. This Law was announced in the mass media on September 12 and came into force on that day.

Amendments and additions to the Law of the Republic of Uzbekistan "On Appeals of Individuals and Legal Entities" are briefly reflected in the following.

In particular, in Article 3 of the Law, in addition to basic concepts such as application, offer, complaint, concepts such as electronic appeal, repeated appeal, anonymous appeal, duplicate appeal, public reception, video conference, and organization with state participation were introduced.

prescribed manner by the means of information and communication technologies, including those posted on the official website of the organization.

It is known from the legal documents that a repeated appeal is an appeal received from the same applicant, who complains about the decision made by the organization regarding the previous appeal, or complains about the fact that the appeal was not considered within the deadlines set by the legislation. It is important to distinguish it from a duplicate of an appeal, because a duplicate of an appeal is a copy of the appeal of the same individual or legal entity. That is, it is understood that the author of the appeal repeatedly submits a copy of the appeal without receiving a response from the relevant organization regarding the appeal, without knowing its decision.

In addition, legality in processing appeals; timely and complete consideration of appeals; uniformity of requirements for appeals; compliance with the rights, freedoms and legal interests of individuals and legal entities; bureaucratism and red tape are not allowed in the review of appeals; The transparency of the activities of state bodies, organizations and their officials in considering appeals was defined in Article 4 as the main principles of the Law.

Also, as another important innovation included in the Law, the main tasks, rights and obligations of public receptions and virtual receptions, the provision of real-time advice on issues related to appeals by the Virtual reception of the President of the Republic of Uzbekistan, state bodies, organizations and their officials the procedures for organizing virtual receptions were clearly defined in Chapter 2.

It is worth noting that direct communication with the population is aimed at the full protection of their rights, freedoms and legal interests, ensuring the functioning of an effective system of working with appeals, to create conditions for the unconditional implementation of the constitutional right, to organize a complete, impartial and timely review of received appeals, to review the appeals received and sent to state bodies and organizations as

appropriate implementation of systematic monitoring and control, conducting receptions of individuals and representatives of legal entities (including through videoconferencing), recording, summarizing, and systematizing incoming appeals were defined as the main tasks of the Public Reception and Virtual Reception of the President of the Republic of Uzbekistan.

stated that the procedure for handling appeals (Article 9) is regulated by other legal acts, then in the current new version, an appeal received by a state body, organization or their official shall be processed on the same day. in the event that it is received after the end of working hours, it should be registered on the next working day, it is not allowed to refuse the registration of the application, registration of applications in state bodies, organizations a notebook is kept, in which the serial number and date of receipt of the appeal, the surname (first name, patronymic) of the individual applying, the name of the legal entity, a summary of the appeal, and a sign on the execution of the appeal are clearly defined as the norm.

At the same time, it is not required to register oral appeals received during mass (mobile) admissions to the head of the state body or an authorized official and resolved on the spot, only the surname (first name, patronymic) of the individual or the representative of the legal entity, information about his place of residence, a summary of the appeal, as well as the result of its review are provided in the public admission report.

Article 26 of the law provides for the hearing of the applicant. This, in turn, allows the state body, organization or their officials to express their opinion on the issues raised in the appeal and provide additional information on the appeal. In this case, the State body, organization or their officials will be able to involve experts, specialists and representatives of interested organizations to hear the applicant.

Another important innovation included in the law is that if no new reasons or newly opened cases are presented in the repeated appeals, and the previous appeal materials contain full materials of investigations and the applicant has been given answers in the prescribed manner, the review can be terminated by notifying the applicant in writing about the groundlessness of the repeated appeal and the termination of correspondence with him on this issue.

At the same time, if the applicant has withdrawn his application in the prescribed manner or requested to terminate its consideration, the place of residence, place of residence (postal address), e-mail address or other due to the fact that it was not possible to summon the applicant due to the fact that he did not notify about the change of his requisites in time, when it was not possible to consider the appeal without the participation of the applicant, because it was not possible to consider the appeal without the participation of the applicant, the state in case the petitioner summoned by the body, organization or their official fails to appear, as well as after the petitioner's death, it is possible to terminate the consideration of petitions if the consideration of the petition does not allow legal succession (Article 30).

In this case, the head of the state body, organization or their authorized official makes a decision to terminate the consideration of the appeal.

It was established that if correspondence is terminated by the organization, if a repeated application is received from the applicant, such an application may be terminated without informing the applicant about it.

This Law defines all the procedures, rights and obligations that citizens should know about appeals. Knowing and following them creates comfort not only for oneself, but also for the representatives of the organization to which the application is sent.

According to the law, the appeals of individuals and legal entities can be oral, written or electronic in the form of applications, proposals and complaints. At this point, it should be said that in practice, in many cases, citizens send their appeals in the form of "Application", and according to the content, it can be understood that it is actually a complaint. Therefore, it is desirable to know the difference between the types of appeals - application, complaint and proposal.

An application is an appeal stating a request for assistance in the realization of rights, freedoms and legal interests. is an appeal. The application will not be related to the violation of the rights and legal interests of individuals and legal entities, but will be in the content of a demand or request. In the application containing the content of the demand, the applicant demands the provision of his right, and the state body has the obligation to satisfy his demand if it is justified. A request is made in an application containing a request.

A proposal is an appeal containing recommendations on improving the state and society, its main goal is to improve the legislation and improve the activity of state bodies.

A complaint is an appeal stating a demand for the restoration of violated rights and freedoms and the protection of legal interests. given in order to eliminate shortcomings in socio-economic, law and order and other areas.

Applications can be sent not only in writing, but also verbally or electronically. Appeals, regardless of their type and form, have the same importance and status. Individuals and legal entities can send the application form according to their capabilities and wishes.

An electronic appeal is an appeal submitted in the prescribed manner by means of information and communication technologies and placed on the official website of a state body or organization. It is also important to know that the electronic application must be made in accordance with the requirements established by the law, it must be in the form of an electronic document certified by an electronic digital signature and have other requisites that make it possible to identify the electronic document. Appeals received through the Unified interactive state services portal of the Republic of Uzbekistan or the official website of the state body are registered as electronic appeals.

The advantage of this form of appeal is that, firstly, applicants lose time in applying to the relevant organization and getting a reasonable answer (information), and secondly, they save the costs of applying to individuals and legal entities.

The law sets a number of requirements for appeals. In particular, the applicant individual must provide information about his surname (name, patronymic) and place of residence, and the legal entity must provide information about the full name and location (postal address) of the legal entity. should display the data. In the application, the e-mail address, telephone and fax numbers of the applicant can also be indicated, while the application can be submitted in the state language and other languages. Also, individuals and legal entities should indicate the specific name of the state body, organization, position, surname (first name, patronymic) of the official and explain the nature of the appeal.

If the necessary information is not specified in the written application or if false information is given about them, or if the application is not confirmed with a signature (digital signature), as well as if there are no documents confirming the authority of the applicant's

representatives, then the applications are anonymous applications. and such appeals will not be considered.

The law also defines several rights of individuals and legal entities related to their appeals. In particular, individuals and legal entities can apply to state bodies, organizations and their officials individually or as a group. Appeals are made voluntarily, regardless of their form or type, they must be accepted and considered by state bodies, organizations, and their officials.

However, applying natural and legal entities should not violate the rights, freedoms and legal interests of others, as well as the interests of society and the state.

When using the right to appeal, depending on the gender, race, nationality, language, religion, social origin, faith, personal and social status of the individual, as well as the form of property, location (postal address), organizational and legal forms and other circumstances of legal entities. No discrimination is allowed.

If the procedure for accepting and considering the appeal is violated or rejected illegally, it is possible to appeal to a higher authority or directly to the court. On Administrative Responsibility of the Republic of Uzbekistan for Violation of Laws on Appeals (Articles 40, 41 and 43) [5] and the Criminal Code (Articles 139, 140, 158) [6] Administrative and criminal liability is established.

Procedures for consideration and response to appeals sent to the relevant organization, i.e. applications, complaints and proposals, are also defined.

In particular, according to it, within 15 days from the time of receipt or registration of applications or complaints made by individuals and legal entities to the relevant organization, additional study and (or) verification, request for additional documents and when it is requested to receive rab, it should be considered and answered within a period of up to 1 month.

If the solution of the issues raised in the application or complaint is not within the competence of a specific state body, organization or their officials, this appeal will be sent to the relevant bodies and officials within 5 days, and the applicant will be informed about it in writing or electronically.

The proposal will be considered within one month from the date of receipt by the state body, organization or their official, except for proposals that require additional study, and the individual or legal entity that made the proposal will be notified in writing within ten days.

If there are applications that are not seen, the applicant should be informed accordingly.

Of course, here, citizens should know the reasons for not answering or not seeing the applications, the procedures for repeated applications, and this will prevent wasting time.

The grounds for termination of appeals consideration in accordance with the current law have been strengthened.

For example, if no new reasons or newly discovered cases are presented in the repeated appeals, and if the previous appeal materials contain complete materials of investigations and the applicant was given answers in the prescribed manner;

if the applicant has withdrawn his application in the prescribed manner or has requested to terminate its consideration;

when it is not possible to consider the appeal without the applicant's presence due to the impossibility of summoning due to failure to timely notify about the change of residence, address (postal address), e-mail address or other details;

in the event that the petitioner summoned by the state body, organization or their official does not appear due to the fact that it is not possible to consider the petition without the petitioner's presence;

if after the death of the applicant natural person, the consideration of the appeal does not allow legal succession, the consideration of the appeals may be terminated. In such a case, the official of the relevant state body makes a decision.

Conclusion.

At this point, it should be said that individuals and legal entities have other rights. For example, receiving information about the progress of the review of the appeal, stating personal reasons, giving explanations, getting acquainted with the materials of the review of the appeal and the results of its review, providing additional materials or requesting such materials from other bodies, with the help of a lawyer use, withdrawal of appeal by written or electronic application and other rights.

In the system of the Ministry of Internal Affairs of the Republic of Uzbekistan, a normative legal framework was created and a number of organizational and practical works were carried out to ensure the right of individuals and legal entities to apply to the internal affairs agencies with applications, suggestions and complaints.

The Law of the Republic of Uzbekistan "On Appeals of Individuals and Legal Entities" by the Ministry of Internal Affairs and Cabinet of Ministers No. 341 dated May 7, 2018 "Working with appeals of individuals and legal entities in state bodies, state institutions and organizations with state participation" In order to ensure the implementation of the decision[7] on approving the model regulation on the procedure of internal affairs, as well as to further improve the system of working with the appeals of individuals and legal entities in internal affairs bodies, on 01.01.2021, the Minister of Internal Affairs issued a decree and the order "On further improvement of the system of working with appeals of legal entities" was adopted, and as an appendix to this order, the Regulation "On the procedure for working with appeals of individuals and legal entities in internal affairs bodies" was developed. was developed and based on paragraph 21 of the Regulation, it is determined that the reception, registration, implementation, accounting and control of the review of appeals will be carried out by the Appeals Department of the Organizational Department of the Ministry.

The Department is directly subordinated to the Minister of Internal Affairs of the Republic of Uzbekistan in matters of control over the consideration of appeals [8].

In the system of the Ministry of Internal Affairs, the practical problems that arise in the process of working with public appeals are regularly studied, while the departmental regulatory documents of the Ministry are being updated and adapted to the requirements of the time.

In particular, with the order of the Minister of Internal Affairs dated April 24, 2024, in order to eliminate the shortcomings in the work and handling of appeals in the Ministry system and increase the efficiency of working with appeals, "Procedure for working with appeals of individuals and legal entities in internal affairs bodies" on" was approved[9].

In some cases, a number of problems arise in the application of the Law of the Republic of Uzbekistan "On Appeals of Natural and Legal Entities", and the practice of working with appeals shows the need to revise the normative legal documents regulating the field.

, consider the **"principle of timely and complete consideration of appeals"** defined in Article 4 of the Law of the Republic of Uzbekistan "On Appeals of Individuals and Legal Entities" adopted on September 11, 2017 can be shown.

it is appropriate to change the sentence **"appeal on time"** in the norm to **"appeal at the specified time"**. Because there is no time for the appeal. Article 28 of the law defines the time limits for consideration of the appeal. In addition, it is proposed to add the word "impartial" to this principle as **"the principle of timely, complete and impartial consideration of appeals"**.

The revised statement of the principle defines the impartiality, personal responsibility and accountability of the person reviewing the appeal.

Although the main principle of the Law stipulates that the appeal should be considered in full in this article, the third part of Article 34 of the Law states that **"Appeals with intermediate answers and incomplete consideration shall not be removed from control."**

In our opinion, it is necessary to exclude the third part of Article 34, as it contradicts the principle of timely, complete and impartial consideration of appeals, which is defined in Article 4 of the law.

Or, let's take Article 23 of the Law, which defines the procedure for dealing with appeals. This article prevents the bureaucracy and censorship that may arise in the field of handling appeals due to the fact that the status of employees who receive, register and direct appeals is not clearly defined in this article. exact mechanism of acquisition is not defined. Therefore, in the future, it is proposed to explain the sixth part of Article 23 of the law in the following version.

"Proceedings for registration and review of the application are carried out in accordance with the law.

The reception, registration, and execution of appeals are carried out by the special structural division of the state body dealing with appeals.

The structural unit dealing with appeals is subordinate to the first head of the state body and performs its activities independently of other structural units and officials.

In order to achieve an illegal decision of the structural unit dealing with appeals, exerting any influence on it in any form or preventing it from carrying out its activities, or imposing functions that are not related to its activities. "I is not put" [10].

To sum up, first of all, knowledge of the legal documents related to appeals and strict adherence to them are signs of the legal culture of the members of the society. Secondly, to know which bodies are responsible for the issue raised by individuals and legal entities, to know the form and manner in which the appeal is made, its procedures, rights and powers in this regard, as well as the requirements and obligations imposed on the applicant and the state organization in turn, it serves to find effective solutions to appeals.

At the same time, it increases the responsibility of state organizations and their officials regarding appeals. After all, at the core of every application, proposal or complaint lies human and civil rights, their protection, high mutual trust and cohesion in society and state relations.

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