



THE ROLE AND IMPORTANCE OF ENVIRONMENTAL CONTROL IN THE USE AND PROTECTION OF AGRICULTURAL LAND

Kenjaev Rustam Xaydarovich

Acting Professor of the Department of Environmental Law
Tashkent State University of Law

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Annotation: This article describes the role of environmental control and its importance in the use and protection of agricultural land. The legislation of national and foreign countries related to environmental control in the use and protection of agricultural land has been scientifically and theoretically analyzed.

Key words: land, rational use of land, agricultural land, use of agricultural land, protection of agricultural land, environmental control.

The use and protection of agricultural land is one of the main directions of the state environmental policy. As an integral part of the ecological system, land resources are important in ensuring the stability of the natural environment, strengthening the material base of state sovereignty and the economy of the Republic of Uzbekistan. In the organizational and legal mechanism for the protection of agricultural land, the place of the institution of environmental control, as well as public administration, is incomparable.

Environmental control is an important legal measure to ensure the rational use of natural resources and its protection, a function of public administration, one of the important institutions of environmental law. Based on the role of environmental control in the mechanism of environmental protection, it can be assessed as an important legal measure. After all, it is the means of environmental control that ensure state coercion to the relevant subjects of law. In practice, there are many cases of applying legal liability for environmental offenses based on the results of environmental control and its results.

Environmental control as a legal measure performs a number of functions of prevention, information and punishment. The importance of the preventive function of environmental control lies in the fact that the subjects of environmental control, realizing that their compliance with environmental and legal requirements will be controlled, take an independent initiative in fulfilling legal requirements and preventing violations. The information function is explained by the collection of various information related to the environmental activities of their subordinates in the process of control. The punitive function is expressed in the application of sanctions prescribed by law to the offender[1].

In the process of protecting agricultural land, the tasks of environmental control can be seen in the following: monitoring the state of the natural environment and changes occurring in it under the influence of agricultural and other activities; environmental protection, rational use of natural resources, environmental health, control over compliance with the requirements of environmental protection legislation and environmental quality standards, as well as verification of the implementation of individual activities.

B. Kh. Kalonov, in his research in this area, argues that the concept of state environmental control can be revealed by explaining its specific features. That is, the main feature of state

environmental control is that it is carried out on behalf of the state by state bodies and governments" [2].

According to Sh.Kh. Fayziev, environmental control is a check of compliance with the rules and requirements of environmental protection, rational use of natural resources and ensuring environmental safety by all ministries, state committees and departments, enterprises, organizations, institutions, officials and individuals, natural study and monitoring of the state of the environment includes a set of political, legal, socio-economic, spiritual and educational activities related to the application of measures[3].

The system of environmental control in the field of rational use of agricultural land and their protection consists of the state environmental monitoring service, state, departmental, industrial and public control in the field of nature protection. In accordance with Article 31 of the Law "On Nature Protection", state control in the field of nature protection is carried out by state authorities and administrations, specially authorized state bodies for nature protection. The State Committee for Ecology and Environmental Protection of the Republic of Uzbekistan, the Ministry of Agriculture of the Republic of Uzbekistan are special authorized state bodies exercising state control in the field of protection of agricultural land.

In the field of protection of agricultural land, in addition to state control, there is departmental, industrial and public control. The Ministry of Agriculture of the Republic of Uzbekistan exercises departmental control over the activities of enterprises and organizations subordinate to it in the field of protection of agricultural land.

The next type of environmental control in the field of protection of agricultural land is production control, which is carried out by the environmental service of enterprises, associations and organizations, protection of agricultural land, rational use and restoration of agricultural land, and sanitary condition natural environment, is aimed at checking the implementation of programs and individual activities in accordance with the requirements of land protection legislation.

Community control in the field of agricultural land protection is carried out by public associations, labor unions and citizens. At this point, it should be emphasized that in our Republic, which is on the path of building a democratic, free civil society, we believe that it is necessary to strengthen public control over the protection of agricultural lands, and to develop legal bases for improving their activities.

In the process of protecting agricultural land, environmental control is manifested through the implementation of a system of various activities. Firstly, to monitor changes in land resources, to form an information collection; secondly, the study of anthropogenic factors that have a negative impact on the earth; thirdly, verification of compliance with the requirements of environmental and land legislation in all aspects of the production and economic process; fourthly, to identify, warn and prosecute legal entities and individuals who violate the rules and requirements established by land legislation; fifthly, to explain and propagate the requirements of land law among the population.

At present, there is a sufficient level of practice in regulating this sphere of public relations, and in this regard, special state bodies authorized to perform these tasks are working effectively.

As we mentioned above, the main task of environmental control over the use and protection of agricultural land is to ensure compliance with the requirements of land legislation in order to effectively use agricultural land by state bodies, organizations, enterprises and citizens.

This control is carried out by authorized state bodies. The following activities were carried out by the Ministry of Agriculture and its system organizations in the field of organization and protection of agricultural land use.

In the course of monitoring the sowing of crops of the 2021 harvest in the Republic of Karakalpakstan, Andijan, Kashkadarya, Namangan, Tashkent and Fergana regions, specialists of the State Control Department for Land Protection of the Ministry of Agriculture of the Republic of Uzbekistan planted planned crops in 11,472 cases on an area of 73,867 hectares, identified cases of non-planting or planting of other crops.

References were submitted to the Council of Ministers of the Republic of Karakalpakstan and regional governments on the elimination of these identified deficiencies.

In addition, agricultural land transferred from Tashkent region to Tashkent city is constantly being monitored.

It was found that 295 hectares of land were arbitrarily occupied and used for non-agricultural purposes in total of 181 cases during the monitoring of agricultural land in Tashkent city. References were submitted to Tashkent region and Tashkent city hokims regarding elimination and to the General Prosecutor's Office as information.

In December 2021, when the lots placed on the "E-auction" trading platform in the Republic of Karakalpakstan and the regions were studied, it was found that a total of 94.2 hectares of agricultural land, divided into 647 lots, was unreasonably put up for auction for non-agricultural purposes.

Also, together with the employees of the General Prosecutor's Office of the Republic of Uzbekistan, documents were drawn up on the elimination of these identified cases of land law violations.

According to the results of field monitoring of the Ministry of Agriculture of the Republic of Karakalpakstan and the regional departments of agriculture for sowing crops planned for the harvest of 2021, 6,104 cases of not sowing planned crops, sowing other crops were identified and the creation of unauthorized gardens on 64,256 hectares of land was revealed.

In total, 126 bulletins, certificates and submissions were sent to khokimiyats and law enforcement agencies in connection with the elimination of these identified cases.

In addition, 66 reports were submitted to khokims and relevant authorities about violations of land legislation in 1170 cases, unauthorized seizure of 3038 hectares of land, unauthorized construction of residential and non-residential buildings, construction of fish ponds and lakes. Measures taken in connection with violations of land legislation:

Administrative cases in the field of agricultural land use were considered, 317 offenders were fined.

For reference: fines in the amount of 1 billion 247 million 940 thousand soums were imposed on the offenders, of which 224 million 610 thousand soums were recovered.

In 61 cases of unauthorized seizure of land from agricultural circulation by legal entities and individuals, 114 billion 288 million 600 thousand soums of damage caused by 167.8 hectares of agricultural land were brought to law enforcement agencies for action.

As a result of the measures taken to protect agricultural land from the Tashkent region to the city of Tashkent, 181 facts of violations of the law on an area of 295 hectares were revealed, the information was sent to the akimats of the Tashkent region and the city of Tashkent for elimination, and the Prosecutor General's Office to take legal measures;

According to the results of monitoring crops in the Republic of Karakalpakstan and the regions, it was found that in 11,472 cases, planned crops were not sown on an area of 73,867 hectares of land or other crops were planted instead. 126 acts on cases of planting planned agricultural crops and 66 acts on violations of land legislation were sent to local governments and authorized bodies.

In 2021, the Cadastre Agency of the Republic of Uzbekistan under the Cadastre Committee of the Republic of Uzbekistan carried out the following control measures.

In particular, it was found that 2,541.3 hectares of land out of a total area of 16,893 hectares were squatted. Of these, 2013.7 ha out of 8823 ha were used for agriculture (including 1245.1 ha of irrigated arable land out of 5326 ha)[4].

The given examples also show that when exercising control in the field of protection of agricultural land, it is necessary to harmonize the rich scientific experience created on the basis of scientific research in this area and the current legislation. After all, ensuring a comfortable life for present and future generations largely depends on the rational use of natural resources, including agricultural land, and their effective protection.

The importance of environmental control in the field of protection of agricultural land lies in the fact that, firstly, it forms a database on the fulfillment by legal entities and individuals of the requirements of regulatory documents in this area, and secondly, the level of implementation of special rules and assesses the requirements and appropriate legal measures are taken; thirdly, and most importantly, it serves to prevent violation of the rules and requirements by all state bodies, public organizations and citizens.

Foydalanilgan adabiyotlar ro'yxati:

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