

Constitutional-Legal Responsibility Of The Executive Bodies Of The State Authorities To Society And Citizens

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Annotation: the article talks about the legal, including some constitutional and legal, aspects of the responsibility of State bodies to increase their responsibility to society and the subject of improvement in legislation related to the application of constitutional-legal measures of responsibility in the system of local state authorities and citizens ' self-government, at the same time, the rules of social

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The responsibility of the Cabinet of Ministers of the Republic of Uzbekistan to society and citizens is based on the basic principles of the Constitution of the Republic of Uzbekistan. Among such principles are the following: Uzbekistan is a Democratic state; the state represents the will of the people and serves its interests; state bodies and officials are responsible to society and citizens; the people are one source of state power; State power in the Republic of Uzbekistan is carried out in the interests of the people and on the side of the offices authorized by the Constitution of the Republic of Uzbekistan and the laws adopted on its basis; democracy in the Republic of Uzbekistan is based on universal principles, according to which human, his life, freedom, honor, dignity and other inviolable rights are of high value.

The idea of the government acting in the interest of the people is also provided for in Article 3, section 21 of the Universal Declaration of human rights, according to which it is established that the will of the people should be the basis of government power¹.

The constitutive principles state and determine that the activities of the Cabinet of Ministers are directly focused on the interests of society and The Citizen, their origin and justification, their expression, provision and, according to the results of their activities, are primarily responsible to the people who have one source of state power².

At the same time, the provision of the expression of the interests of the people and citizens in the activities of the Cabinet of Ministers and the increase in their responsibility in it is expressed not only by the determination of the relevant rights, powers and obligations in its legal status, but also by the fact that its constitutional and

¹ Инсон ҳуқуқлари умумжаҳон декларацияси, 1948 йил 10 декабр //

<https://constitution.uz/uz/pages/humanrights>

² Ахмедшаева М.А. Давлат ҳокимияти тизимида ижро ҳокимияти: 12.00.01.-Давлат ва ҳуқуқ назарияси ва тарихи; сиёсий ва ҳуқуқий таълимотлар тарихи: юридик фан. док. илмий даража. олиш учун ёзилган диссер. Автореферати. -Т., 2010. – Б. 21.

legal liability is clearly strengthened and Through such a complex approach, it will be possible to achieve profitability as a key effect in the activities of the Cabinet. In turn, the constitutional-legal responsibility of the Cabinet of Ministers is based on collegial and individual forms of responsibility. In this, in the collegial form, the Cabinet is responsible for the full composition, and in the personal form it indicates that each of its constituent members is responsible for the results of their activities separately.

M. on this issue. Yu. It is possible to agree with viskrebentseva's opinion that the responsibility of the higher executive authorities, the existence of an effective mechanism of parliamentary control, is important³.

Also, R.R.Khakimov makes the following correct statement: "as political parties actively participate in the formation of the government, the political responsibility of the government to the Parliament becomes important as a reflection of this activity"⁴. But the legislation does not establish the constitutional basis of the direct responsibility of the Cabinet to the people. The form of holding the people's Cabinet accountable is carried out by the relevant special powers of the Supreme Assembly of the Republic of Uzbekistan and the president of the Republic of Uzbekistan, formed by him through direct elections. This means that the responsibility of the Cabinet to the people is ensured not directly, but indirectly through democracy, on the basis of the powers of Representative state authorities.

At the same time, the Constitution of the Republic of Uzbekistan does not establish a list of grounds for the responsibility of the Cabinet of Ministers of the Republic of Uzbekistan. In the norms of the Constitution there is only the subject of application and the corresponding sanctions. In particular, among these are the following measures of responsibility: resignation of the Cabinet of Ministers of the Republic of Uzbekistan by decision of the president of the Republic of Uzbekistan according to Article 119 of the Constitution, notification of a vote of no confidence by the legislative chamber. The cases were also regulated by Article 6 of the Cabinet of Ministers of the Republic of Uzbekistan act of 29 August 2003⁵.

In particular, the issue of expressing a vote of no confidence in the prime minister will be included in the joint session of the OECD on a proposal officially introduced in the name of the president of the OECD by at least a third of the total number of Deputies of the OECD, with conflicts between the OECD and the OECD. The vote of no confidence in the prime minister is considered to have been adopted if at least two-thirds of the total number of Deputies and members of the Senate of the Legislative Chamber of the Supreme Assembly of the Republic of Uzbekistan voted, respectively. In this case, the president of the Republic of Uzbekistan makes a decision to dismiss the Prime Minister. In doing so, the entire Cabinet of Ministers of the Republic of Uzbekistan will resign along with the Prime Minister.

³ Вискребенцева М.Ю. Коллегиальная (коллективная) ответственность правительства // Исторические, философские, политические и юридические науки, культурология и искусствоведение. Вопросы теории и практики. 2014. № 11-2 (49). С. 53.

⁴ Хакимов. Р.Р. Давлат ҳокимияти тизимида парламент: назария ва амалиёт муаммолари: Монография. - Ўзбекистон Республикаси Президенти ҳузуридаги Амалдаги қонун ҳужжатлари мониторинги институти нашриёти - Тошкент.: 2012. – Б. 95.

⁵ "Ўзбекистон Республикаси Вазирлар Маҳкамаси тўғрисида"ги қонун // Ўзбекистон Республикаси Олий Мажлисининг Ахборотномаси, 2003 й., 9-10-сон, 138-модда.

The individual responsibility of the Cabinet of Ministers of the Republic of Uzbekistan in addition to constitutional and legal liability in the collegial order is paid to its members.

In addition, the results of the interpellation procedure can lead to the formation of a commission of parliamentary inquiry or to a vote of no confidence in the entire khukumat. Also according to their own basis, the basics of this kind of responsibility are relevant to the type of political responsibility.

In turn, according to the experience of foreign countries, the Institute of interpolation serves the role of the most reliable and often the only tool in the implementation of parliamentary control, and also serves to express dissatisfaction with the activities of the government in public order. A.V.Chepunov notes: "in Europe, the political responsibility of the government to parliament is expressed, as a rule, in the form of a resolution – a reprimand or a vote of no confidence in the government on the basis of a vote of no confidence, as well as an annual report or issues that are mandatory to be considered in Parliament"⁶.

It is worth noting that the dominant type of government responsibility in European countries is political responsibility, which, depending on the form of government, can be applied by Parliament or the president, but is determined in accordance with the political situation in the country.

Summarizing the above, it can be noted that an important aspect of the activities of parliamentary control is ensuring that the government is in charge of the Parliament by declaring a vote of no confidence in the government. At the same time, in the constitutions of European countries, the grounds for holding the government accountable by Parliament are often not established. V.A.Vinogradov, reflecting on this, acknowledges that the loss of confidence in the government forms the basis of the constitutional-legal responsibility of the government⁷.

Continuing this idea, A.N.Sheyan argues that the responsibility of the government in such a situation to the parliament is one of the types of constitutional-political responsibility, which arises for deviations from the political path taken by the bodies that shape the government⁸. This, on the one hand, extends the level of responsibility of the government, and on the other, allows the head of state and parliament to flexibly influence the content of government activities, apply resignation or even threaten the government with it.

It should also be noted that the constitutional-collective responsibility to the citizens lies in the places, the province, district, mayor is the highest official of the region, district and city, and at the same time the representative and executive power in the relevant area is entrusted to the administrator. In particular, the governor ensures the implementation of socio-economic development tasks, the implementation of laws in places, decisions of the chambers of the Supreme Assembly of the Republic of Uzbekistan, documents adopted by the president and Cabinet of

⁶ Чепус А.В. Конституционно-правовая ответственность исполнительной власти в России и странах Европы // Актуальные проблемы российского права. 2015. №10. URL: <https://cyberleninka.ru/article/n/konstitutsionno-pravovaya-otvetstvennost-ispolnitelnoy-vlasti-v-rossii-i-stranah-evropy>

⁷ Виноградов В.А. Конституционно-правовая ответственность членов правительства // Конституционное и муниципальное право. 2004. №5. С.22.

⁸ Шеян А.Н. Институт правительственной ответственности в России: дис... канд. юрид. наук. М. 2007. С.

Ministers of the Republic of Uzbekistan, the implementation of decisions of the councils and governors of the higher standing people's deputies, relations between the state authorities and

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