



ISSUES OF ENSURING LEGALITY AND APPLYING ADMINISTRATIVE PROCEDURES IN THE PROVISION OF PUBLIC SERVICES IN UZBEKISTAN

Rakhmanov Zafarjon Zayniddinovich

Senior lecturer of Institute for retraining and advanced training of legal personnel under the Ministry of Justice of the Republic of Uzbekistan,,

Doctor of Philosophy in Law (PhD),

E-mail: z.raxmanov95@gmail.com, +998 97 731 09 29

Abstract: This article analyzes the relevance of ensuring legality in the provision of public services, issues of applying administrative procedures in the provision of public services..

The opinions of scientists on ensuring legality and applying administrative procedures in the provision of public services were discussed.

Proposals and comments on the problems of ensuring legality and applying administrative procedures in the provision of public services and their solutions are presented.

Key words: Public services, legality, citizens' rights, administrative procedures, law enforcement practice.

Today, in the process of reforming the public administration system, the issue of providing high-quality and transparent public services to citizens and legal entities is becoming increasingly relevant. In particular, ensuring legality in this process and the implementation of administrative procedures in a clear, fair, and transparent form increases trust in the state. Public services are not only a means of exercising the rights and freedoms of citizens, but also an important element of effective and accountable public administration.

One of the important elements in the process of providing public services is ensuring legality, where, first of all, it is important to protect the rights of users of public services. The provision of public services is a type of social activity in which the rights and freedoms, legally protected interests of individuals and legal entities are inalienable [1].

In national legislation, there is a method of ensuring legality in the process of providing public services, including the protection of users' rights. Protection in administrative and judicial proceedings. These two types of protection are related to the fact that the system of providing public services arises within the framework of administrative legal relations.

It should be especially noted that the role of e-government in ensuring legality in the process of providing public services is also invaluable. According to the Law of the Republic of Uzbekistan "On Electronic Government," e-government is defined as a system of organizational and legal measures and technical means aimed at ensuring the activities of state bodies in providing public services to individuals and legal entities using information and communication technologies, as well as interdepartmental electronic interaction [2]. Also, the Decree of the President of the Republic of Uzbekistan dated December 12, 2017 No. UP-5278 "On Measures for Fundamental Reform of the National System for Providing Public Services



to the Population" was adopted [3]. In accordance with this Decree, a number of important directions have been defined for ensuring legality in the provision of public services and fundamental reform of this sphere. Specifically:

- ✓ unconditional implementation of the noble idea "Not the people should serve state bodies, but state bodies should serve the people" in the sphere of providing public services by radically improving their quality, efficiency, transparency, and accessibility;

- ✓ transformation of unified centers for the provision of public services to business entities based on the "single window" principle into Public Service Centers that provide services to both legal entities and individuals based on the "single window" principle;

- ✓ elimination of the mechanism for the provision of public services, primarily redundant procedures, according to the principle "documents move, not citizens" for each type of public service;

- ✓ accelerated introduction of innovative solutions and information and communication technologies in the field of public services, integration of databases of state bodies and other organizations into a unified system of interdepartmental electronic interaction;

- ✓ use of acceptable, convenient, and transparent methods of providing public services, including through remote access ("mobile public services"), an automated queue management system and an extended work schedule aimed at eliminating the emergence of bureaucracy and corruption in this area;

- ✓ Implementation of advanced mechanisms for monitoring and assessing the quality and efficiency of the provision of public services;

- ✓ organization of systematic training and retraining of qualified personnel in the field of public services, systematic improvement of their qualifications, including through internships in leading specialized institutions of foreign countries.

It should be noted that the important tasks of ensuring legality in the provision of public services are also reflected in the Decree of the President of the Republic of Uzbekistan dated April 20, 2022 No. UP-113 "On Additional Measures to Simplify the Provision of Public Services, Reduce Bureaucratic Barriers, and Develop the National System for the Provision of Public Services" [4]. By this Decree, the "National Strategy for Modernization and Accelerated Development of the Public Services System for 2022-2026" was approved. The Strategy defines several key areas for ensuring legality in public services and important tasks to be implemented in this area. In particular, it is planned to improve the legal framework regulating the provision of public services and increase the effectiveness of administrative procedures, widely introduce modern information and communication technologies into the sphere, expand interdepartmental electronic interaction in the provision of public services and digitize the existing database, ensure the security of confidential information, introduce new types and forms of public services, increase the convenience of using services and scientific and practical analysis of the services provided, further increase the responsibility of authorized bodies in the provision of public services, develop effective mechanisms for ensuring the timely provision of services to the population and social protection of employees, improve Uzbekistan's position in international rankings and develop international cooperation.

The quality and effectiveness of public services are closely related to citizens' trust in the state, ensuring their rights and freedoms, as well as the level of legality and transparency in the country. From this point of view, administrative procedures serve as the main mechanism in the process of providing public services. Administrative procedures are understood as a



system of specific, defined rules, stages, and practical actions carried out by state bodies and their officials when providing public services to citizens and organizations. Such procedures are an important tool for ensuring the rule of law, protecting the interests of the individual, and bringing administrative justice to an end.

Administrative procedures serve to make decisions in the field of public administration in a legal and uniform manner. These procedures are based on specific legal grounds, and their main goal is to protect the rights and interests of citizens, ensuring objectivity and transparency in the decision-making process.

In Uzbekistan, administrative procedures are regulated by the Law "On Administrative Procedures" [5]. According to this law, when making decisions by state bodies, citizens and organizations must be notified, heard, and their opinion taken into account.

It should be noted that this Law applies to the administrative and legal activities of administrative bodies in relation to interested parties, including licensing, permitting, registration procedures, other procedures related to the provision of public services, as well as other administrative and legal activities in accordance with the legislation. Also, in accordance with this Law, the basic principles of administrative procedures are defined as legality, proportionality, reliability, the possibility of hearing, openness, transparency, and clarity of administrative procedures, the priority of the rights of interested parties, the inadmissibility of bureaucratic formalities, content coverage, the implementation of administrative proceedings through a "single window," equality, the protection of trust, the legality of administrative discretion (discretionary power), and inspection.

Moreover, in the provision of public services, the fundamental principles of ensuring human rights by authorized bodies are considered one of the most important aspects of the interaction between the state and its citizens. These principles are aimed at protecting the rights and freedoms of individuals, adhering to standards of justice and equality, and creating the necessary conditions for the effective and high-quality delivery of services. The implementation of these principles contributes to ensuring the appropriate quality of public services and increases citizens' trust in public institutions.

The importance of procedures in the delivery of public services is considerable. The effective application of administrative procedures in the process of providing public services leads to a number of positive outcomes:

Transparency: Each decision or action is carried out based on a clear legal framework and established procedures.

Accountability and openness: Public authorities are held responsible for their decisions, while citizens have the right to appeal against such decisions.

Open communication: Interaction between citizens and the state improves, leading to enhanced mutual trust.

Efficiency: Bureaucratic barriers are reduced, and the process of accessing public services becomes faster and more streamlined.

In conclusion, ensuring legality in the provision of public services, including the correct and effective application of administrative procedures, constitutes a fundamental guarantee for protecting citizens' rights, enhancing the efficiency of public administration, and upholding the rule of law within society. Each decision made by state authorities in this process must be legally grounded, just, and transparent. Therefore, the improvement of administrative



procedures and their strict enforcement in practice significantly contribute to the country's legal and democratic development.

Moreover, the reforms being implemented in the field of public service delivery are closely linked with the development and enhancement of the e-government system. Within this process, the comprehensive protection of human rights and freedoms, as well as the creation of equal and unrestricted access for citizens to public services, are regarded as priority tasks. Therefore, it is considered essential to continuously analyze bureaucratic obstacles, technical issues, and legal gaps arising during the use of public services, as well as to implement systematic measures aimed at identifying and eliminating these challenges.

References

1. Рычкова И.Н. Предоставление государственных услуг как административно-правовая функция органов исполнительной власти: дис. ... канд. юрид. наук. Киров, 2017. С. 151.
2. Ўзбекистон Республикасининг 09.12.2015 йилдаги “Электрон ҳукумат тўғрисида”ги ЎРҚ-395-сон Қонуни // Қонунчилик маълумотлари миллий базаси, 21.09.2024 й., 03/24/964/0736-сон.
3. Ўзбекистон Республикаси Президентининг 12.12.2017 йилдаги “Аҳолига давлат хизматлари кўрсатишнинг миллий тизимини тубдан ислоҳ қилиш чоратадбирлари тўғрисида”ги ПФ-5278-сон Фармони // Қонунчилик маълумотлари миллий базаси, 18.03.2022 й., 06/22/89/0227-сон.
4. Ўзбекистон Республикаси Президентининг 20.04.2022 йилдаги “Давлат хизматлари кўрсатишни соддалаштириш, бюрократик тўсиқларни қисқартириш ҳамда давлат хизматлари кўрсатиш миллий тизимини ривожлантиришнинг кўшимча чоратадбирлари тўғрисида”ги ПФ-113-сон Фармони // Қонунчилик маълумотлари миллий базаси, 12.05.2025 й., 06/25/84/0432-сон.
5. Ўзбекистон Республикасининг 08.01.2018 йилдаги “Маъмурий тартиб-таомиллар тўғрисида”ги ЎРҚ-457-сон Қонуни // Қонунчилик маълумотлари миллий базаси, 21.04.2021 й., 03/21/683/0375-сон.