

Deputy Inquiry - As An Important Form Of The Institute Of Parliament Control

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Annotation: According to the President of Uzbekistan Shavkat Mirziyoyev, a new approach and effective parliamentary control are important in the field of law-making. The role of the parliament in the system of political security and separation of powers is studied. Political security depends on the stability and efficiency of government institutions. The place and role of the parliament is recognized as a legislative body in many countries of the world. Formation of the government in the Republic of Uzbekistan and a number of reforms are being implemented in the process of parliamentary control. The article forms and functions of parliamentary control and analyzes its legal bases and divides the processes of parliamentarianism in the country into historical stages.

Key words: State budget, subject of control, parliament, control, parliamentary inquiry, deputy, budget process, rule of law.

Since the declaration of independence, reforms in all spheres of social life in our country have been implemented gradually and consistently. This process, of course, did not bypass the sphere of state construction and management. At the same time, as a logical development of the reforms in this field, positive changes are taking place in the activity of the parliament, which is the legislative branch of the government. Because, in our country, "the most important task in the field of state building and management is to strengthen the role and influence of the parliament, which is the legislative power".

That is why, since the formation of the two-chamber parliament in our country, a lot of attention has been paid to the issues of its place and role in the life of the society, as well as increasing its social and political importance. In particular, SH.M. Mirziyoyev's reports at the joint meetings of the Legislative Chamber and Senate of the Oliy Majlis of the Republic of Uzbekistan (*January 28 2020, January 27 2021 and November 12 2023*), he emphasized that strengthening the role and influence of the parliament as one of the priorities of the reforms in the field of state building and administration in our country [1].

Deputies of the Oliy Majlis elected from election constituencies do not have enough opportunities to solve local systemic problems of voters, as well as the presence of artificial obstacles in using their powers established by law, which leads to a decrease in mutual trust between deputies and citizens, thereby there is a need to further strengthening the position of the institution of parliamentary control in society.

In this process, first of all, the improvement of the control function of the parliament is very important.

The inquiry of the deputy of the Legislative Chamber - the deputy of the Legislative Chamber has the right to send an inquiry to the officials of government to ensuring the rights and legal interests of the voters of the respective electoral district, with an inquiry to give a reasoned explanation or to state his point of view. Officials of government shall send a written answer to the inquiry of the deputy of the Legislative Chamber, the member of the Senate, no later than ten days from the date of receipt of the inquiry, if no other deadline is set. Answer to the inquiry of the deputy of the Legislative Chamber, the member of the Senate is signed by the official whom the inquiry was sent or the person temporarily performing his duties [2].

In the political system of the Republic of Uzbekistan, we can see that the mechanism of restraining each other is not functioning properly due to the inability of the national parliament to fully control the activities of the executive power [3].

At present, in the law-making system, the control and assessment of the activities of the executive authorities by the parliament is the basis for ensuring the mechanism of mutual restraint of the authorities.

However, it is difficult to agree with such arguments. Unlike other developed countries, the laws of Uzbekistan, like those of the former Soviet Union countries, should include only general norms, and the opinions that emphasize that specific norms should be covered in legal acts do not correspond to the requirements of the present time. If one or another provision of the legislative technique is outdated and does not meet the current requirements, it is necessary to change them.

Also, the arguments that it is not appropriate to regulate the norms in the law due to the need for an operative solution of this or that issue seem unfounded. Exactly what should be regulated in the law or by-laws should be determined with a strict separation of the powers of the executive power and the parliament.

In most cases, the declarative nature of norms in laws is explained by the fact that these laws are circular in nature without having the correct effect. But in this case, it should be noted that in countries where laws of a general nature are adopted, what laws are of a general nature and what laws are adopted as a result of these laws are clearly defined.

For example, in France, laws of a general nature mean a special form of legislative act that, when such laws are adopted, legislative authority is transferred to the government (*in some countries, to the head of state*), the possibility of applying this law without the adoption of such a normative legal act by the government not available.

In addition, in some countries where there is a practice of adopting laws of a general nature, it is strictly defined what powers of the parliament cannot be transferred to the executive power [4].

Adoption of laws of a general nature leads to an increase in legal acts adopted by the executive power. One of the significant shortcomings of the current laws is the extensive use of referential norms in most instances.

Most of the articles in the laws should have the power of direct influence on the content. However, it is impossible to adopt laws even without reference and blanket norms. Any law does not exist by itself, it cooperates with other legal documents based on the existing legal system in that country.

Reference to other regulatory legal documents is a legal technical method. The purpose of this is to condense the law without re-writing the provision contained in any regulatory document. The legislator refers to the reference norm and shows the logical connection of the existing norms in different legal acts.

At this point, it should be noted that the abundance of unfounded norms creates difficulties in the application of laws and reduces their effectiveness and subjectivity in the interpretation and application of laws, creating conditions for a narrow departmental selective approach. This harms the reputation of the law and the entire legislative authority in general.

Many countries (*Bulgaria, Germany, Lithuania, USA, France and others*) in the laws, the norms are applied only in exceptional cases when there is a real need, in addition, not only the referenced normative legal document, but also its articles and clauses are indicated. Such an approach significantly facilitates the understanding and application of the law. According to the Law of the Republic of Uzbekistan "On Normative-Legal Documents", the following are considered as normative-legal documents: Constitution of the Republic of Uzbekistan; Laws of the Republic of Uzbekistan; Decisions of the Chambers of the Oliy Majlis of the Republic of Uzbekistan; Decrees of the President of the Republic of Uzbekistan; Decisions of the Cabinet of Ministers of the Republic of Uzbekistan; Documents of ministries, state committees and agencies; Decisions of local state authorities[5].

The existence of reference norms in laws "unless otherwise provided by legislation" may lead to different interpretations of them by different entities in practice. Because in most cases, documents are accepted based on the departmental interest of one or another state structure [6].

The presence of referential norms in laws that state "unless otherwise provided by legislation" may lead to different interpretations by various entities in practice. This is because in most cases, documents are adopted based on the departmental interests of a particular state body.[7]

From the above, it can be said that today, on the basis of the international experience of sending a deputy inquiry, it is one of the urgent issues to further increase the efficiency and effectiveness of the inquiries of the members of the parliament. When studying the international experience on the deputy

inquiry, the following was revealed, including:

Countries that have the right to send a deputy inquiry independently: Georgia, Russia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan;

Countries that have the right to send an inquiry for a deputy after consideration at a parliamentary session: Belarus, Kazakhstan, Moldova;

Countries that have the right to send a parliamentary inquiry with the permission of the head of the parliament: France, Austria, Finland, Serbia.

Georgia - in order to provide transparency to the general public on the inquiries of members of the parliament, a register of inquiries is provided;

In Georgia, Denmark, Russia and Kazakhstan, it is available to the public by posting it on the official website of the parliament or chamber;

France - All senatorial and parliamentary inquiries and responses to them are regularly published in official publications, thereby allowing for a simultaneous study of public opinion and reaction [8].

In order to eliminate existing problems and further develop the sphere, it is proposed to implement the following measures:

Monitor and analyze the inquiries of deputies in central office of the Oliy Majlis of the Republic of Uzbekistan and prepare a monthly report on this information and introduction of the system of submission to the Speaker and deputies of the Legislative Chamber;

Expanding the powers of the Deputy in the Law on the Regulation of the Legislative Chamber of the Republic of Uzbekistan, including the timely and high- quality response to the inquiry of the representative of the Cabinet of Ministers of the Republic of Uzbekistan in the Oliy Majlis of the Republic of Uzbekistan to set the exact threshold values for non-organization and to introduce a system of making a submission to the Speaker to consider the issue of whether or not this employee should operate in the Oliy Majlis;

The inquiry of a deputy of the Legislative Chamber is one of the forms of parliamentary control, and in order to increase the efficiency of their use, the creation of a single form of the inquiry of the deputy sent by the deputies and conducting training sessions with deputies who have just started their parliamentary career;

Implementation of the mechanism of deputation and parliamentary control functions of the parliaments of Germany, Great Britain and the USA in our country, ensuring the freedom of activity of deputies, guaranteeing protection from various pressures and influences, as well as introducing a system of independent implementation of the financial budget of the parliament and reporting by the plenary session of the parliament at the end of the year.

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