

Proceedings of International Educators Conference

Hosted online from Rome, Italy.

Date: 25th July - 2024

ISSN: 2835-396X

Website: econferenceseries.com

IMPROVING THE BASICS OF DISCIPLINARY PENALTIES FOR CIVIL SERVANTS IN THE REPUBLIC OF UZBEKISTAN

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Annotation:

This article analyzes the issues of providing the legal basis for bringing civil servants into disciplinary trouble.

Keywords: State service, human rights and freedoms, responsibility, disciplinary responsibility, state civil service, state special service

Introduction

The legal basis of the activity of civil servants in every modern country, which aims to ensure human rights and freedoms along with the determination of their disciplinary responsibility, it is one of the most important issues in the field of public service today! Because one of the important principles of public service is legality. Civil servants conduct their activities in accordance with the law and documents based on them. The current legislation provides not only incentives for public servants, but also legal responsibility: disciplinary, administrative, material and criminal. In modern state administration, it is necessary to determine measures of fair responsibility for disciplinary violations on a normative basis! Disciplinary responsibility is defined differently in legal literature related to public service.

Disciplinary liability of civil servants is a type of legal liability arising from the non-fulfillment or improper fulfillment of the duties assigned by them.

Also, in the words of the well-known legal scientist Erkin Hajiyeu, the disciplinary responsibility of civil servants is applied for misconduct (action or inaction)². Because observing labor (service) discipline and strengthening state discipline is one of the main obligations of civil servants. Of course, the types of disciplinary liability for civil servants were defined in the Labor Code and similar documents. With the adoption of the Law "On State Civil Service", the type of disciplinary responsibility of state civil servants was determined! According to Article 46 of the Law:



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By the state civil servant:

1 Civil service. Study guide. Tashkent. 2012

2 Erkin Hajiyev. State service. Study guide. 2004

to the job description;

to the rules of etiquette of state civil servants,

Also, non-observance of the restrictions specified in Article 13 of the Law is the basis for applying disciplinary sanctions against him.

The law specifically defined the civil servant of the state for which offenses he will be subject to disciplinary liability! In addition, the legislation regulating relations in the field of state special service (prosecution, internal affairs, etc.) has established norms in this regard! I would like to add that the disciplinary responsibility of civil servants:

- 1) by the laws of the Republic of Uzbekistan;
- 2) with the Labor Code of the Republic of Uzbekistan;
- 3) with disciplinary charters and special regulations;
- 4) determined by internal labor procedure rules.

But we civil servants know that the state is an intermediary in the implementation of its functions, and their inaction or action against the law directly endangers the violation of the rights and freedoms of citizens. That is why it is necessary and necessary to improve the measures of disciplinary responsibility by defining the following analytical methods and tasks.

Duties:

1. Coordinating the grounds for bringing civil servants to disciplinary responsibility;
2. Grounds for disciplinary action of civil servants and modern technologies.

The main part: Civil service in modern state administration is divided into 3 types:

Civil civil service;

State military service;

State special service.

What is the basis of each of these mentioned if we analyze the exact cause of disciplinary liability through the following diagram:



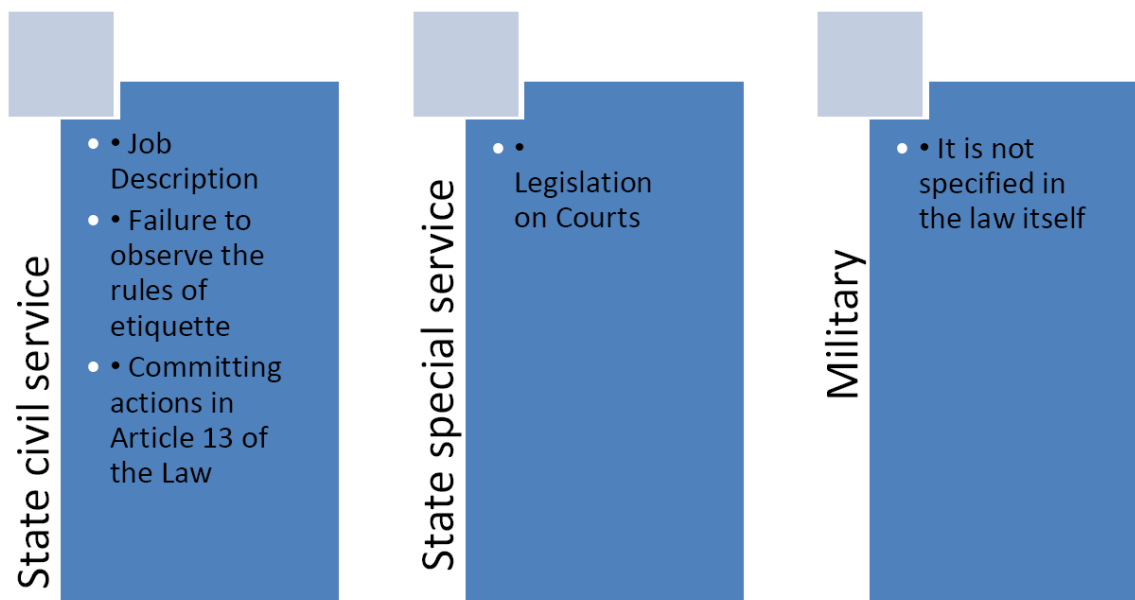
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“ According to the Law on State Civil Service, the employee's actions are the basis for disciplinary action. Legislation about Courts stipulates the disciplinary action of a judge for what actions he has committed! That is, according to the Law, A judge may be subject to disciplinary liability only in accordance with the decision of the relevant judges' qualification panel in the following cases:

for violating legality during the administration of justice;

for shortcomings caused by negligence or indiscipline in the organization of court proceedings;

for committing misconduct that tarnishes the honor and dignity of a judge and lowers the reputation of the court;

for violating the requirements of the code of ethics of judges.

If the judge does not perform the actions provided for in the first part of this article within one year after the imposition of disciplinary sanctions, it is considered that he is not subject to disciplinary liability.

As an example of foreign countries, in the Republic of Romania:

Reports on compliance with the rules of conduct of civil servants and monitoring of the implementation of disciplinary procedures are prepared and published by the National Agency of Civil Servants after collecting information on court decisions by state bodies and institutions.

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That is, the bases of disciplinary responsibility of all civil servants are concretely specified in the laws, and even the disciplinary behavior of civil servants is constantly determined in an open database. This undoubtedly serves to ensure transparency and openness, as well as legality, in public service!

List of used literature:

1. Civil service. Study guide. Tashkent. 2012
2. Erkin Hajiyeu. State service. Study guide. 2004
3. <https://ideas.repec.org/a/ath/journal/v50y2018i2p20-32.html>

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