

CRIMES OF ILLEGAL CONNECTIONS TO ELECTRICAL NETWORKS FOR COMMERCIAL PURPOSES

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Abstract

On the basis of national legislation, we will get acquainted with the principles of responsibility for the theft of electric energy and the procedure for regulation by which laws and the reforms that are being carried out on the development of these laws.

Keywords: National legislation, electricity, robbery, energy network, liability, regulation, legislation.

INTRODUCTION

Pursuant to the Decree of the President of the Republic of Uzbekistan dated November 24, 2020 No. 6118 "On measures to further improve the system of execution of court documents and documents of other bodies", departmental bodies are required to identify and eliminate crimes related to violations of the rules for the use of electricity, thermal energy, gas, and water pipes. and tasked with preventing them.

In turn, the task of identifying, eliminating and preventing these types of administrative offenses was assigned to internal affairs bodies.

Therefore, in order to avoid misunderstandings that may arise when defining this boundary in practice, it is necessary to distinguish between the crimes of robbery of energy resources and drinking water and administrative offenses of this type.

MATERIALS AND METHODS

For example, in Article 101 of the Civil Code, arbitrarily connecting to public electricity and heat gas networks or otherwise violating the rules of their use, or intentionally damaging electricity, heat energy, natural gas metering devices, including their fillings, or changing the indicators of such metering devices administrative responsibility for external intervention is established.

RESULTS AND DISCUSSION

The basis of administrative liability for electric power theft is the fact that a person commits such an offense for the first time or that the damage does not exceed one hundred times the amount of the basic calculation.

The commission of the same violations or the amount of damage caused by a person within a year after being held administratively responsible for violating the rules for the use of electric energy shall be the basis for bringing the person to criminal responsibility.

For information: Section 8 of the Civil Code defines substantial damages as damages ranging from one hundred to three hundred times the amount of the base calculation.

The grounds for criminal and administrative liability for this type of offense are given in the table below:

The grounds for determining liability under Article 185-2 of the Criminal Code The grounds for determining administrative liability under Article 101 of the Criminal Code are as follows:

1. The commission of the same offense within one year after the person was brought to administrative responsibility and the amount of damage caused was considerable and the person was not brought to administrative responsibility within 1 year.
2. The amount of damage caused is much or more. The act provided for in part 1 of Article 1852 of the Criminal Code is a formal crime and does not require a specific consequence.

In order to prosecute a person under part 1 of this article, the following conditions must be met:

- a) a person commits one of the following actions, such as arbitrarily connecting to public electricity networks, intentionally damaging electricity meters, including their seals, interfering with them from the outside in order to change the indicators of such meters, and a preliminary administrative penalty has been applied for these offenses to be;
- b) within 1 (one) year after the application of the administrative penalty, commits an act against the right provided for in the provision of part 1 of Article 1852 of the Criminal Code.

In this case, it should be taken into account that a person is considered not to have been subject to administrative punishment when he is released from administrative



responsibility according to Article 21 of the Code of Administrative Responsibility of the Republic of Uzbekistan, as well as when proceedings are terminated based on paragraphs 5-6 of Article 271 of this Code.

The crimes provided for in parts 2-4 of Article 1852 of the Criminal Code are material crimes, that is, a specific criminal consequence (a large amount, a large amount, causing a large amount of damage) is required. In this case, it does not matter if an administrative penalty was used to bring a person to criminal responsibility.

The concepts of large amount, large amount and very large amount are defined in Section 8 of the Criminal Code.

From the subjective side, the crime is committed only with the right intention.

In this case, the person realizes the nature of the socially dangerous act provided for in Article 1852 of the Criminal Code, sees its socially dangerous consequences and acts by wanting them to happen.

The motive and purpose of the crime is an important sign in the qualification of the act.

CONCLUSION

Crimes related to illegal use of energy resources are increasing. The General Prosecutor's Office initiated 433 criminal cases for violations of the rules for the use of electricity and natural gas in 2023 and the previous period of this year. As a result, 368.1 billion soums of material damage was caused to the interests of the state. Inadequate accountability measures for illegal use of energy resources do not allow the state to take appropriate measures against those who have caused a large amount of damage. For this reason, there is a need to strengthen measures of responsibility for cases of illegal use of energy resources, failure to comply with the instructions of competent authorities in this regard.

REFERENCES

1. Decree No. 6118 of the President of the Republic of Uzbekistan dated November 24, 2020 "On measures to further improve the system of execution of court documents and documents of other bodies"
2. Criminal Code of the Republic of Uzbekistan.



3. Criminal Procedure Code of the Republic of Uzbekistan
4. Code of Administrative Responsibility of the Republic of Uzbekistan.
5. Civil Code of the Republic of Uzbekistan. Article 169. National database of legislative information, 08.11.2022, No. 03/22/801/0998.
6. Law No. 152-XII of the Republic of Uzbekistan dated 31.10.1990 "On Ownership in the Republic of Uzbekistan". Article 3. National database of legislative information, 04/21/2021, No. 03/21/683/0375

