

THE IMPORTANCE OF DEVELOPING PRIVATE OWNERSHIP FORMS IN RELATION TO LAND IN EFFECTIVE USE OF LAND

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Abstract: *This article discusses the issues of land transfer to the private sector, organizational and legal aspects of land transfer to the private sector, the introduction of an equal, transparent and market-based procedure for allocating land plots, ensuring stability in property and legal relations related to land, land protection, guarantees of property rights of land owners, as well as the definition of the economic value of the land by its transfer to the civil discussed issues of introduction into free circulation as an object of legal relations.*

Keywords: *privatization, private property, market asset, turnover, land accounting, economic value, lease right, lease right, auction.*

Introduction: The reforms being carried out in our country today serve as a basis for the development and prosperity of every industry. Laws, resolutions, and several other normative legal acts being developed in our country guarantee the consistent development of the industry. The laws being developed to further develop the private sector provide for the economic and social development of the country. Further development of the private sector is an important factor in today's developing world. Land privatization creates the basis for land to become a market asset. Land privatization will further strengthen the inviolability of property about the development of land ownership. The value of privately owned land increases with each passing year. An owner who privatizes his property can fully protect his property, and enter into a perfect legal relationship in mortgaging and leasing it. The decision on privatization of land plots may not be reconsidered out of court. In the process of buying and selling privatized land, the owner is free to set the price of the land. The value of privatized land is constantly increasing. Privatized land plots are objects of private property and civil circulation. In the process of buying and selling privatized land, the owner is free to set the price of the land. The value of privatized land is constantly increasing. Privatized land plots are objects of private property and civil circulation. In the process of buying and

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In recent years, several measures have been taken in the country to improve the quality of public services in the field of registration of rights to real estate. At the same time, further improvement of the system of public services in this area requires increasing their efficiency and accessibility, achieving transparency in the activities of government agencies, and improving the provision of information services to users of services. Active introduction of information and communication technologies and integration of relevant systems into electronic databases of government agencies are the main priorities for simplifying the process of state registration of real property rights

Problem statement: It is well known that land allocation is a historic step in the regulation of land relations in general. With the strong will and initiative of the head of our state, it is possible to privatize non-agricultural land plots based on property rights. This means, on the one hand, strengthening the guarantee of property rights of both businesses and individuals, and, on the other hand, the introduction of several billion dollars of additional capital into the economy by converting land into a legitimate market asset. In other words, this reform alone will enable millions of individuals and legal entities using land on a permanent or lease basis to enrich themselves by thousands of dollars overnight through the privatization of their land on preferential terms. In addition, the purchase and sale of land plots between citizens are legalized (to date, the purchase and sale of dry land are considered illegal).[1].

In recent years, special attention has been paid to the rational use and protection of land resources, ensuring legality in the field of land relations. In particular, through the introduction of information technology, the openness and transparency of the land allocation procedure are increasing, and bureaucratic barriers in the field are being eliminated. However, cases of looting, arbitrary seizure, and illegal sale of land resources are still observed. The procedure for allocating non-agricultural and agricultural land is not the same and transparent for all. The virtual reception of the President received more than 5,000 applications from citizens for the issuance of cadastral documents for residential property, and more than 3,000 applications for mobile receptions by deputies, senators, and government officials. That is why the biggest problem is the use of land resources. So if not enough has been done in this area, it's just for paperwork or formality. To date, 1,100,000 housing documents have not been registered for more than 15 years, 145,000 real estate objects have been used without documents for less than 15 years, as well as 67,000 illegally occupied 8,500 hectares of land and protected areas. It was determined that the object was built. However, the bodies of the cadastral service, khokims of districts, and cities have prepared a cadastral document of these objects, recognizing the right of ownership over them, it was strongly pointed out that the demolition of the object built on the arbitrarily occupied lands or the transfer of ownership of them has not been completed yet. In particular, out of 1.1 million houses that have been used for more than 15 years, cadastral documents have been prepared for 751,000 or 68%, and these works have been left out of control. Today, if we look at the shortcomings in the field of land accounting and state cadastre, in 2020 alone, in about 50,000 cases, 11,200 hectares of land was arbitrarily occupied, of which 3,200 hectares were illegally built. 99% of them are irrigated fertile agricultural lands. In general, in 113 districts a lot of reserves are lost due to the lack of accurate calculations of categories and types of land. In addition, Uzbekistan has 21 types of state cadastre. However, the forest cadastre data, one of 21 state cadastres with only 50 percent of the data on 9 cadastres, has not been updated since 1987. Such shortcomings, in turn, hinder the creation of a perfect base of a single system of state cadastres. There are enough shortcomings in the real estate system as well. For example, the cadastral value of 340,000 objects has not been determined. Of these, more than 200,000 objects are not taxed. In addition, more than 1 million homes do not have cadastral documentation.

The head of state sharply criticized the shortcomings in this regard, emphasizing the need to accelerate the work on the transformation of land into a market asset, its economic value, and financial circulation,

strengthening state and public control over land allocation and use. The issue on the agenda today is very complex. Efforts to ensure the rule of law in this area are not yielding positive results. The land is the property that feeds the people. We need to completely change our attitude towards our land.

Research method: It is necessary to transfer land to the private sector to turn land into a market asset and bring the efficient use of land into a perfect system. The right of private property is the right of an individual to own, use and dispose of property acquired by the law. The amount and value of privately owned property are not limited. Private property is inviolable and under state protection. The state shall create all necessary conditions for the preservation of private property and its reproduction. The owner can be deprived of his property only in cases and in the manner prescribed by law [2].

Privatization of land- Transfer of a land plot of public ownership to individuals who are citizens of the Republic of Uzbekistan and (or) legal entities that are residents of the Republic of Uzbekistan Objects of land privatization are: Land plots on which existing buildings, structures, production facilities are located or privatized, as well as adjacent land plots of the size necessary for the implementation of production activities [3].

Today, Uzbekistan has introduced a procedure for allocating land to the private sector based on property and lease rights, the right of permanent use to state organizations. Elimination of non-compliant practices such as inherited lifetime ownership, permanent ownership, and temporary land use rights, and the types of land rights have been reduced from 6 to 3. President of the Republic of Uzbekistan Shavkat Mirmonovich signed a decree on June 8, 2021 "On measures to ensure equality and transparency in land relations, reliable protection of land rights and their transformation into market assets." Decree No. 6243 was signed. According to this decree, from August 1, 2021:

- Land plots are allocated to the private sector based on property and lease rights, state bodies, institutions, enterprises, citizens' self-government bodies (hereinafter - state organizations) - based on the right of permanent use
- The procedure for allocating land with the right of inherited lifelong possession, permanent possession, and temporary use is abolished, while such rights to previously allocated land plots are retained by their owners in the current order;
- In case of transfer of ownership of a real estate object built on the leased land plot following the procedure established by law, the lease right to the land plot on which it is located is transferred to the new owner along with the ownership right to this object [4].

In addition, by this decree, the following powers of local authorities on land relations, the right to adopt resolutions, orders, or other documents on them were abolished from August 1, 2021:

- ✓ direct allocation of land plots, their use, reserve, attachment, transfer for further allocation for landscaping or another disposal of land
- ✓ Determination, recognition, change, revocation of land rights by district and city local state authorities.
- ✓ Transfer of irrigated lands to non-irrigated lands or other land categories, non-irrigated agricultural lands to other land categories.
- ✓ Allocation of land for community gardening, viticulture, and gardening, as well as ancillary agriculture.
- ✓ Establishment of investment obligations or other obligations restricting the free disposal of private property in respect of privatized land plots [4].

The owner who privatizes the property owns uses and disposes of his property at will and in his interests. The owner has the right to take any action that is not against the law about his property. He may use his

property to carry out economic activities and other activities not prohibited by law, to transfer it to other persons for possession and (or) use free of charge or for a fee. The use of the property must not violate the rights and legally protected interests of citizens, legal entities, and the state, and must not harm the environment. [2].

The procedure of selling non-agricultural lands to the private sector only by auction will be introduced. Non-agricultural lands are sold to citizens and legal entities of Uzbekistan as private property, and lands that cannot be privatized are sold on a lease basis. The governor's decision abolishes the practice of allocating land to the non-governmental sector and allocating land directly and free of charge. The procedure for allocating agricultural land only on a lease basis will be introduced. Such lands are provided to citizens and organizations (except foreigners) based on open competition. Acceptance of applications for open competition, collection, and evaluation of information about the applicant is carried out in electronic form Privatized land plots are objects of private property and civil transactions.

The Law of the Republic of Uzbekistan "On Privatization of Non-Agricultural Land Plots" and the Law of the President of the Republic of Uzbekistan "On ensuring equality and transparency in land relations, reliable protection of land rights and their market To ensure the implementation of the Decree of the Cabinet of Ministers of the Republic of Uzbekistan on February 14, 2022, on the privatization of land not intended for agriculture Resolution No. 71

According to this decision, applicants for the privatization of land plots can apply in person to the Public Service Centers in the relevant area where the land is located, or register with the SDPP to use the public service electronically. The purchase value of the privatized land plot: the applicant pays multiple payments of the base rate of land tax established during the privatization for privatization of the land plot.[5].

How much do we know about urbanization that we are talking about today? Urbanization (Latin Urbanus - urban) is the process of the development of cities, urban culture, and other relations specific to cities in the development of society. Urbanization is due to the transformation of rural settlements into cities, the expansion of suburban areas, and the migration of the rural population to cities. This process is reflected in the pace from year to year. For example, in 1800, 2 percent of the world's population lived in cities, while in 1950 the figure was 30 percent, and now it is 50 percent. By 2050, two-thirds of the world's population is expected to live in cities.

There is a question that has plagued many tonight. Why privatize non-agricultural land? Privatization of non-agricultural land leads to the development of urbanization. Today, on the issue of further development of urbanization, President Shavkat Mirziyoyev has launched a period of great reforms. What is the nature of the issue of land privatization that we are talking about today? What will change after we take the land as private property?

What is the purpose of land privatization? Private ownership of land plots is not an entirely new concept for us. The current Land Code also stipulates that when privatizing trade and service facilities, they can be privatized together with the land they occupy, as well as foreign diplomatic missions can buy land in our country as private property. Not to supplement the state budget with additional revenue, as they unknowingly say. First and foremost, this reform is aimed at making people property. In other words, citizens and organizations buy property from the state at a certain nominal value of the land they own or use and acquire property several times more expensive than the market price. As a result of the privatization of land, its price will continue to rise. As a result, the value of property in the hands of citizens, in turn, will increase their economic status. The next goal of introducing private ownership of land is to fully guarantee property rights. Once the plot of land is owned based on property rights, both it and the building on which it is located are completely inviolable. This is the most important guarantee for investors. Once the plot of land is owned based on property rights, both it and the building on which it is

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Presidential Decree No. PF-5623 of January 10, 2019 "On measures to radically improve the process of urbanization" to prevent the emergence of these problems, to carefully consider the level of urbanization, was adopted for intelligent regulation. In addition to the implementation of major strategic investment projects in the framework of ongoing structural reforms, the process of urbanization as a factor leading to the growth and sustainable development of the urban population has not been adequately taken into account. As a result, the level of urbanization has been declining in recent years, and the number of urban settlements has increased from only 1,065 to 1,071. Despite the measures taken to transform large rural settlements into urban settlements, today's level of urbanization does not meet modern requirements for integrated urban development and lags significantly behind global trends. At the same time, the level of urbanization is not yet stable. From July 1, 2019, legal entities - residents of the Republic of Uzbekistan in the number of land plots owned by them or privatized by them, the location of buildings and structures, industrial infrastructure, as well as the production activities in adjacent areas. Individuals - citizens of the Republic of Uzbekistan have the right to privatize land plots allocated to them for individual housing construction and housing services. Privatization of the specified land plots is carried out by the decision of local state authorities based on applications of individuals and legal entities. [6].

Conclusion. It should be noted that land privatization is an important step in the fundamental reformatting of the relationship between the state and the citizen, as well as the creation of a favorable investment climate and a class of quantities. However, if this is done without taking into account the interests of the population, it will undoubtedly be one of the reforms that will increase social inequality. Seizure of privately owned property, including land, in cases of nationalization and requisition, unless otherwise provided by law, the owner of the market value of the property, as well as the damage caused to the owner in connection with such seizure. It will be possible to do so only if it is fully covered. Nationalization of private property has the right to appeal in court against the decision on confiscation and requisition. The transformation of land into private property gives a citizen great spiritual confidence. A person's love for private land is different. The landowner feels secure, makes plans for the long term, and begins to see the future more clearly. In addition, some high-ranking officials no longer claim that the land belongs to the state, not to you. You don't live in a rented house. No production takes place without land, because any enterprise is located on a piece of land. Land is an economic factor, just like capital, energy, and information. When labor is cheap and machinery is expensive, an entrepreneur tends to hire more workers than buy expensive machinery. Similarly, If the enterprise is located on expensive land, it will try to sell it and move the business to cheaper land, because the price of land also affects the cost of production. Also, when land becomes private property, a land market emerges on its own, just as the housing market once emerged when housing was privatized. So the real market price of the land is formed. In addition, there are opportunities to mortgage or lease land, which means that the land becomes the object of economic transactions. What will change in the life of an ordinary citizen? First of all, his private property will have strong protection. Land privatization is important in all respects, both economically and socially, and ecologically, and is the basis for human habitation and the feeling of full ownership.

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