

APPLICATION OF NORMS OF ADMINISTRATIVE RESPONSIBILITY AND ADMINISTRATIVE PUNISHMENT IN THE ACTIVITIES OF THE PREVENTION INSPECTOR IN THE CONDUCT OF CASES ON ADMINISTRATIVE OFFENSES

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Annotation: *This article covers the activities of the prevention inspector in the conduct of cases on administrative offenses, as well as the application of norms of administrative responsibility and punishment. The article analyzes the powers of prevention inspectors in the conduct of administrative cases and their role in preventing offenses based on Article 248 of the Code of the Republic of Uzbekistan on Administrative Responsibility. It also considers issues such as identifying offenses, referring them to the appropriate bodies depending on their type, and determining the bodies authorized to consider offenses. The principles of subject and territorial relevance and the participation of the prevention inspector in the proceedings on offenses are analyzed in detail. The article emphasizes the importance of increasing the legal knowledge of preventive inspectors, improving their activities and effectively organizing measures aimed at preventing violations in society.*

Keywords: *internal affairs, public, law, nation, freedom, security, crime, punishment, offense, order, discipline.*

The activity of a preventive inspector in handling cases on administrative offenses is a type of administrative process regulated by the norms of administrative law and relevant subordinate normative legal acts. In accordance with Article 248 of the Code of the Republic of Uzbekistan on Administrative Responsibility, internal affairs bodies consider cases of offenses under more than 50 articles and impose penalties. Employees of internal affairs bodies consider only cases of offenses for which an administrative fine is prescribed. Of the offenses considered by the internal affairs bodies: more than 30 relate to the field of transport, road management, and communications; 1 relates to the field of encroachment on public health; 1 relates to the field of landscaping; 3 are offenses that encroach on public order; more than 10 offenses are actions that encroach on the established procedure of management. One of the most important tasks of the prevention inspector in conducting cases on administrative offenses is to determine which bodies have the authority to consider cases on administrative offenses. In accordance with paragraph 4 of part 2 of article 248 of the Code of the Republic of Uzbekistan on Administrative Responsibility, prevention inspectors are authorized to consider a total of 24 types of administrative offenses. They include the following articles: Part 1 of Article 47, Articles 473, 54, 561, Part 1 of Article 110 (in relation to citizens), Part 1 of Article 111, Parts 1, 2, 4 and 5 of Article 113, Articles 114, 122, 123, Article 127 (in relation to sounding a horn without a reason), Article 1286, Part 1 of Article 147 (for arbitrary digging of roads, creating artificial irregularities and obstacles on

them, for violating the rules for maintaining roads), Article 148 (for lighting a fire in isolated areas and within 100 meters of wooden bridges, for smoking on bridges with wooden decks), Article 161 (in relation to citizens), Part 1 of Article 187, Articles 188, 1882, 192, 221, part one of article 223, articles 2231, 2233, part one of article 224. The powers and relevance of the prevention inspector in the conduct of administrative offense cases. The prevention inspector must have clear information about when, where and by which body the case of any type of offense committed in his administrative territory will be considered. Thus, each body is obliged to consider cases of administrative offenses within the framework of the powers (rights and duties) assigned to it and apply appropriate measures in accordance with the law. For example, although the internal affairs bodies, as well as prevention inspectors (Article 248 of the Code of Criminal Procedure), are authorized to impose fines on cases of administrative offenses (Article 61 of the Code of Criminal Procedure), administrative courts consider cases of administrative offenses related to small-scale robbery (Article 61 of the Code of Criminal Procedure). Accordingly, first of all, at the stage of considering administrative offense cases, preventive inspectors must clearly resolve the issue of relevance by determining: Who will investigate the case, Drawing up a report, Who has the authority to make a decision on the case. Types of relevance in the field of administrative law. Relevance in the field of administrative law is divided into three types: Subject relevance (by types of offenses), Territorial relevance. Secondary (alternative) territorial relevance. 1. Subject (by types of offenses) relevance. This means that the preventive inspector legally resolves the issue of transferring cases related to administrative offenses to bodies authorized to consider them. For example: Article 248 of the Code of Criminal Procedure - determines cases related to internal affairs bodies. Article 245 of the Code of Criminal Procedure - determines cases considered by administrative courts. When determining the subject matter relevance of cases on administrative offenses, prevention inspectors must take into account the following factors: Type (category) of administrative offense Place of commission of the offense Age of the offenders Examples: Cases on violation of the rules of the passport system are considered by internal affairs bodies. Cases on offenses committed by minors are considered by national commissions on juvenile affairs. Issues of administrative liability and territorial relevance. According to Article 245 of the Code of Administrative Liability, if the offender denies the fact of the offense, administrative courts: Also directly consider other cases on administrative offenses. Resolve issues of releasing the offender from administrative liability or imposing a lighter punishment due to minor actions of the offender. In conclusion, a clear definition of subject-matter relevance by the types of cases considered by the Prevention Inspector is a prerequisite for determining territorial relevance. Territorial relevance is understood as the determination of where the prevention inspector will consider a case on a specific administrative offense, that is, the place of consideration of the case (Article 304 of the Code of Criminal Procedure). The main rule of territorial relevance is that the case is considered at the place where the offense was committed. 2. An example of territorial relevance. For example, a person named N. from Surkhandarya region committed an offense in the Mirzo

Ulugbek district of Tashkent and did not fulfill the legal requirements of the prevention inspector of the internal affairs bodies serving in the maintenance of public order. Therefore, the necessary documents are drawn up. In this case: By subject matter jurisdiction - the case must be considered by an administrative court in accordance with Article 245 of the Code of Administrative Offenses. By territorial jurisdiction - the case is considered by the relevant district administrative court of Tashkent, since the administrative act was committed in this territory. 3. Exceptions to territorial jurisdiction Not all cases of administrative offenses are considered only at the place where the offense was committed. The law also contains some exceptions. For example, cases related to district (city) commissions for children's issues are considered not at the place where the offense was committed, but at the place of residence of the citizen being held liable. The activities of the prevention inspector in conducting cases on administrative offenses are regulated by legal norms and are of great importance for the timely detection, prevention and taking appropriate measures of offenses. The principles of subject matter and territorial jurisdiction are of primary importance in this activity. Prevention inspectors must know exactly which body will consider the case of any offense and where it will be resolved. Some administrative offenses are considered by prevention inspectors, while others are subject to administrative courts or other authorized bodies. The main rule of territorial jurisdiction is that the case is considered at the place where the offense was committed, but there are some exceptions. For example, offenses related to children are considered at the place of residence of the offender. The legal and effective implementation of this process by the prevention inspector plays an important role in protecting the rights and interests of citizens, maintaining public order and preventing offenses. Therefore, improving their activities, increasing their legal knowledge and strengthening the system of cooperation are one of the urgent requirements of today.

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